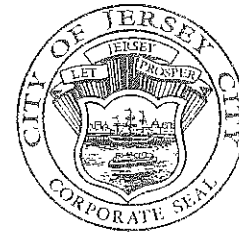


City Clerk File No. Ord. 17-072
Agenda No. 3 - A 1st Reading
Agenda No. 4. A. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-072

TITLE: A FRANCHISE ORDINANCE GRANTING PERMISSION TO 817 ASSOCIATES, LLC, ITS SUCCESSORS AND ASSIGNS, TO ALLOW FOR VACATING OF A PORTION OF COTTAGE STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (the "City") does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, 817 Associates, Limited Liability Company, a company of the State of New Jersey, ("Petitioner") has filed a petition with the Municipal Council of the City of Jersey City requesting the vacation of a portion of Cottage Street, which parcel is more particularly described by the metes and bounds Description of Property to be Vacated [Exhibit A], and depicted on the Right of Way Vacation Plan of Cottage Street [Exhibit B] both attached to this Ordinance; and

WHEREAS, Cottage Street is located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, the Petitioner owns vacant land located at Block 9403, Lot 1 commonly known as 137 Cottage Street; Block 9401, Lot 25, commonly known as 136 Cottage Street; Block 9401, Lot 26, commonly known as 140 Cottage Street; Block 9401, Lot 27, commonly known as 142 Cottage Street; and Block 9401, Lot 10, commonly known as 817 Newark Avenue; and

WHEREAS, there is no municipal or public need for the portion of Cottage Street and the Petitioner now desires this portion of Cottage Street to be vacated; and

WHEREAS, the area being vacated is no longer necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare; and

WHEREAS, the City is authorized to vacate that portion of Cottage Street as set forth in Exhibits A and B; and

WHEREAS, the Petitioner owns the property located on the adjacent lots immediately north and south of the desired portion of Cottage Street to be vacated, more specifically identified as 137 Cottage Street, and referred to as Block 9403, Lot 1, on the official Tax Map of the City of Jersey City (the "Property"); and

WHEREAS, the desired portion of Cottage Street to be vacated is a dead end street and not an active public right-of-way; and

WHEREAS, the Municipal Engineer and Municipal Traffic Engineer have reviewed and approved the proposed vacation of this portion of Cottage Street; and

WHEREAS, said Petition has been duly advertised and proof of the giving of due notice of the Petition requesting enactment of this ordinance as required by law has been filed with the City Clerk, and the Municipal Council having held a public hearing thereon, and no objections having been made thereto; and

WHEREAS, these properties adjoin Cottage Street where it dead ends at the Conrail cut; and

WHEREAS, the Petitioner has represented that the area has been used as a dumping ground for many years with the other properties on the street and is unsafe as there is inadequate fencing to protect the public from the depression leading to the railroad tracks; and

WHEREAS, the public interest will be served by this Ordinance for Street Vacation as it will advance the public safety, convenience, and welfare; and

WHEREAS, after due notice was given in accordance with the statute, a public hearing was held on the Petition filed by the Petitioner, to erect the fence upon the Area as previously described herein; and

WHEREAS, the Petitioner has made application to the Municipal Council of the City of Jersey City;

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

Section I: All parts or portions of Cottage Street adjacent to Block 9403, Lot 1, commonly known as 137 Cottage Street, and Block 9401, Lots 25-27, commonly known As 136 Cottage Street, 140 Cottage Street, And 142 Cottage Street, respectively, as hereinafter more particularly described and as a shown and delineated on Exhibits A and B which are annexed to this Ordinance, be and the same are hereby vacated and included into Block 9403, Lot 1, and the public easement and rights therein be and the same are hereby extinguished, which parts of the aforesaid street are more particularly described in the metes and bounds descriptions contained in Exhibit A to this Ordinance, which is incorporated herein by reference.

Section II: All costs and expenses related to the introduction, passage and publication of this ordinance, including the preparation and mailing of any and all notices related to this ordinance upon property owners within 200 feet of the area to be vacated, shall be borne and paid by the Petitioner.

Section III: The Petitioner shall file this Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective. Upon filing of this Ordinance, the map, and the description with the Hudson County Register, title to the vacated parcel shall vest in the Petitioner.

Section IV: This Ordinance is subject to the following:

- 1) In the event the utilities, if any, presently located under the roadways being vacated hereunder, are not moved to another location or abandoned in place, an easement in perpetuity is reserved for the benefit of the City of Jersey City, Jersey City Municipal Utilities Authority and all public utility companies, including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c.48:5A-1, et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain; repair or replace existing utility facilities including water lines, sewer lines, gas lines, and telephone, electrical and cable television wire and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

- 2) No buildings or structures of any kind may be constructed over the water or sewer utilities, if any, within this area subject to the easement without the consent of the Chief Engineer of the City of Jersey City and/or the Jersey City Municipal Utilities Authority unless and until those utilities are relocated and/or abandoned.
- 3) In the event that utilities, if any, presently lying in the portion of Cottage Street being vacated hereby are relocated, then the easement otherwise created under Section IV (1), shall immediately terminate and the same shall be considered as abandoned by the respective utility company.

Section V: All ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section VI: This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section VII: This Ordinance shall take effect at the time and in the manner provided by law.

Section VIII: This City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is conflict between those numbers and the existing code in order to avoid confusion and possible accidental repeal of the existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

PETITION

TO: The Mayor and Council of the City of Jersey City, New Jersey

Your Petitioner, **817 Associates, LLC**, a Limited Liability Company of the State of New Jersey ("Petitioner") having an address at 813 Newark Avenue, Jersey City, New Jersey 07306, respectfully herein petitions the City of Jersey City;

WHEREAS, the Petitioner desires to vacate a portion of Cottage Street, which parcel is more particularly described by Description of Property to be Vacated [Exhibit A], and depicted on the Right of Way Vacation Plan of Cottage Street [Exhibit B], both prepared by Mihir Shah, P.L.S. of Sunland Surveying, Inc., and attached hereto; and

WHEREAS, Cottage Street is located within the City of Jersey City, County of Hudson, and State of New Jersey; and

WHEREAS, the desired portion of Cottage Street to be vacated is located at the dead end of that street, and ending at the railroad cut; and

WHEREAS, the Petitioner owns the property located on the lots adjacent to the desired portion of Cottage Street to be vacated, more commonly known as a portion of Cottage Street, and more specifically referred to as Block 9403, Lot 1, commonly known as 137 Cottage Street; and Block 9401, Lots 25-27, commonly known as 136 Cottage Street, 140 Cottage Street, and 142 Cottage Street on the Official Tax Map of the City of Jersey City (the "Property"), a copy of the applicable Tax Map sheet is attached as [Exhibit C]; and

WHEREAS, the Petitioner operates a parking lot on the Property, and this area has been subjected to numerous violations for waste and debris from the City of Jersey City, Department of Health and Department of Buildings; and

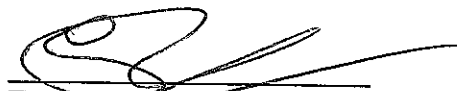
WHEREAS, the existing property is vacant and constitutes that portion of Cottage Street that constitutes a dead end at a railroad cut off for Conrail; and

WHEREAS, the Owner of the adjoining parcel will be landscaping, fencing and maintaining the area to make an aesthetic improvement to this section of Jersey City; and

WHEREAS, this portion of Cottage Street is no longer necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation; and the public interest will be served in that it will advance the public safety, convenience and welfare.

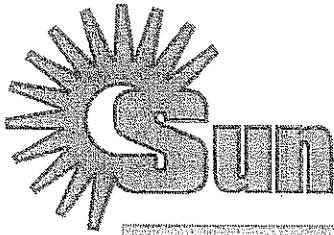
NOW THEREFORE, Petitioner hereby requests that the City of Jersey City adopt an ordinance, in substantially the form submitted with and made a part of this Petition by reference, which shall ordain the vacation of that area of Cottage Street, as more particularly described on the Description of Property to be Vacated, and depicted on the Right of Way Vacation Plan of Cottage Street, both prepared by Mihir Shah, P.L.S. of Sunland Surveying, Inc., attached as Exhibit A and Exhibit B, respectively.

Respectfully,



Eugene P. O'Connell, Esq.
Attorney for the Petitioner
817 Associates, LLC

Dated: 5/17/17



Land Surveying, Inc.

9 Garnet Terrace, Livingston, NJ 07039

Cell: 973-818-7708 Fax: 973-215-3130

email: sunlandsurvey@gmail.com

METES AND BOUND DESCRIPTION FOR PROPOSED VACATIONING OF PORTION OF COTTAGE STREET (IN FRONT OF EXISTING TAX LOTS 25 TO 27 BLOCK 9401 AND EXISTING TAX LOT 1 BLOCK 9403, CITY OF JERSEY CITY, HUDSON COUNTY, N.J.)

Beginning at a point in the northerly Right of Way Line of Cottage Street distant 132.27 feet westerly from the corner formed by the intersection of northerly line of Cottage Street and the westerly line of Herbert Place, which point also being distant 7.27 feet westerly from the Point of Beginning for existing tax lots 25-27, block 9401 as stated in deed book 07133, pages 95-98, and thence running;

- (1) Southerly through existing right of way of Cottage Street (55 feet wide, per City of Jersey City Tax maps and other records), South 34 degrees 00 minutes 00 seconds West, a distance of 55.00 feet to a point in southerly right of way line of said Cottage Street, which point also being on northerly dividing line between existing lot 1 & lot 2, block 9403 as shown on current tax map sheet No. 94 of the City of Jersey City; thence
- (2) Westerly along said southwesterly line of Cottage Street, North 56 degrees 00 minutes 00 seconds West, a distance of 45.09 feet (survey) or 46 .92 feet (per file map # 89); to a point on point of intersection formed by the southwesterly Right of Way line of said Cottage Street and northeasterly line of lands of n/f Conrail Penn Central Railroad (formerly New Jersey Railroad and Transportation Company) as shown on official tax map of City of Jersey City; thence
- (3) Northerly along dividing line of westerly right of line of said Cottage Street and easterly right of line of lands of n/f Conrail Penn Central Railroad (formerly New Jersey Railroad and Transportation Company) as shown on official tax map of City of Jersey City, North 14 degrees 12 minutes 19 seconds West, a distance of 44.06 feet to an angle point; thence
- (4) Easterly and continuing along said dividing line, South 56 degrees 04 minutes 34 seconds East, a distance of 10.00 feet to an angle point at existing concrete monument; thence

- (5) Northerly and continuing along said dividing line, North 14 degrees 16 minutes 41 seconds West, a distance of 33.33 feet to an angle point; thence
- (6) North 35 degrees 28 minutes 00 seconds East, a distance of 3.44 feet to a point in aforementioned northerly right of way line of Cottage Street; thence
- (7) Easterly along said northerly Right of Way line of Cottage Street, South 56 degrees 00 minutes 00 seconds East, 92.73 feet to point and place of BEGINNING.

Containing approximately 3,909.59 sq. ft. (0.09 acres) more or less of an area.

SUBJECT TO easement and restrictions of record, restrictive covenants, and any other facts which an accurate and current title search may disclose.

Above description is based on, deed book 07133, pages 95-98, certain map entitled "map of 4 lots in Hudson City, N.J. belonging to Charles Gobisch," which map was filed in the office of the clerk (now Register) of Hudson County, N.J. November 9, 1867 as map number 89, and an actual field survey performed in July-November 2015.

Mihir J. Shah

Mihir. J. Shah, P.L.S
New Jersey Lic. No.: 24GS04288200
Date: June 01, 2016
Rev. May 03, 2017

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-072
TITLE: 3.A JUN 14 2017 4.A JUN 28 2017

A Franchise Ordinance granting permission to 817 Associates, LLC, its successors and assigns, to allow for vacating of a portion of Cottage Street.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 6-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted				COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date JUN 28 2017

APPROVED:

Steven M. Fulop, Mayor
Date JUN 29 2017
Date to Mayor JUN 29 2017

City Clerk File No. Ord. 17-073

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-073

TITLE:

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO
SELL PROPERTY LOCATED AT 26-30 COOK STREET, 393
HOBOKEN AVENUE, AND 33-37 OAKLAND AVENUE, JERSEY
CITY TO THE COUNTY OF HUDSON**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY
ORDAINS:**

WHEREAS, the City of Jersey City ("City") is the owner of certain property designated as Block 8102, Lots 1,6,7, 25, 26, and 27 on the City's tax map and more commonly known as 26-30 Cook Street, 393 Hoboken Avenue, and 33-37 Oakland Avenue, Jersey City ("Property"); and

WHEREAS, the City became the owner of the Property when the Jersey City Parking Authority was dissolved in 2015; and

WHEREAS, the City leases the Property to a tenant on month-to-month basis for use as an outdoor parking lot; and

WHEREAS, the County of Hudson ("County") desires to construct a new Administration and Courthouse Building to replace its current building at 595 Newark Avenue and has determined that the Property would be a suitable location for the new Administration and Courthouse Building; and

WHEREAS, the County desires to purchase the Property from the City for the sum of seven million five hundred thousand dollars (\$7,500,000); and

WHEREAS, the appraisal report indicates that this is the fair market value of the Property; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1), the City is authorized to transfer by private sale municipally owned property to the County.

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Mayor or Business Administrator is authorized to execute the following:

1. Contract of Sale, deed and any other documents necessary or appropriate to effectuate the transfer of certain property designated on the City's tax map as Block 8102, Lots 1,6,7, 25, 26, and 27 and more commonly known as 26-30 Cook Street, 393 Hoboken Avenue, and 33-37 Oakland Avenue, Jersey City (Property) to the County of Hudson for the sum of seven million five hundred thousand dollars (\$7,500,000), subject to the following minimum terms and conditions:

(a) the conveyance shall be made subject to:

- (1) easements and restrictions of record, if any;
- (2) all federal, state, county and municipal laws, statutes, codes, ordinances, rules and regulations affecting the Property, its use and occupation; and

2. The Contract of Sale shall be in substantially the form attached, subject to such modifications as the Corporation Counsel or the Business Administrator deems appropriate or necessary.

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner as provided by law, but in no event before the County of Hudson requests and approves the transfer by a resolution adopted in accordance with N.J.S.A. 40A:12-13.

D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All material is new, therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

RR
6-5-17

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET - CONTRACT AWARD

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO SELL PROPERTY LOCATED AT 26-30 COOK STREET, 393 HOBOKEN AVENUE, AND 33-37 OAKLAND AVENUE, JERSEY CITY TO THE COUNTY OF HUDSON

Project Manager

Department/Division	Administration	
Name/Title	Robert Kakoleski	Business Administrator
Phone/email	547-5147	RKakoleski@jcnj.org

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Contract Purpose

The City is the owner of certain property designated as Block 8102, Lots 1,6,7, 25, 26, and 27 on the City's tax map and more commonly known as 26-30 Cook Street, 393 Hoboken Avenue, and 33-37 Oakland Avenue, Jersey City ("Property"). The City leases the Property to a tenant on month-to-month basis for use as an outdoor parking lot. Hudson County has offered to purchase the Property from the City for the sum of \$7,500,000 so that it can construct a new Administration and Courthouse building on the Property. The appraisal report indicates that this is the fair market value of the Property.

Cost (Identify all sources and amounts)

Not applicable

Contract term (include all proposed renewals)

Not applicable

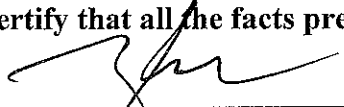
Type of award

Not applicable

If "Other Exception", enter type

Additional Information

I certify that all the facts presented herein are accurate.


Signature of Department Director

6/7/17
Date

AGREEMENT OF SALE

THIS AGREEMENT, dated as of this day of July, 2017 (the "Effective Date"), between the COUNTY OF HUDSON, a body corporate and politic, with an address at 567 Pavonia Avenue, Jersey City, New Jersey 07306 (hereinafter referred to as "Purchaser") and the City of Jersey City, heir and successor to the Jersey City Parking Authority, with an address at 280 Grove Street, Jersey City, New Jersey 07302 (hereinafter referred to as "Seller").

The parties hereto agree as follows:

1. Agreement to Sell and Purchase.

The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from Seller, subject to the terms and conditions of this Agreement, the property, commonly known as 33-37 Oakland Avenue, 26, 28, 30 Cook Street, and 393 Hoboken Avenue, also known as Block 8102, Lots 1, 6, 7, 25, 26, 27, located in the City of Jersey City, County of Hudson, State of New Jersey (the "Land"):

A. The Land is more particularly described in Exhibit A annexed hereto and made a part hereof, and all the right, title and interest, if any, of Seller, in and to and to any land lying in the bed of any street, road or avenue, opened or proposed, in front of or adjoining the Land to the centerline thereof, and all right, title and interest, if any, of Seller in and to any awards made or to be made in lieu thereof and to any unpaid award for damages to the Land by reason of the change of grade of any street. The foregoing Land shall be referred to collectively, from time to time, as "Property."

2. Purchase Price.

The purchase price for the Property is SEVEN MILLION FIVE HUNDRED THOUSAND 00/100 DOLLARS (\$7,500,000.00) (the "Purchase Price"). The Purchase Price is payable at the closing by federal wire funds, cash or a certified, bank or cashier's check or attorney's trust check in that amount payable to Seller subject to adjustments described in Section 8.

3. The Closing.

Subject to other provisions of this Agreement, the closing of title provided for in this Agreement shall take place at the office of Hudson Realty Abstract (the "Title Company") located at 659 Newark Avenue, Jersey City, New Jersey at 10:00 a.m. on or about September 15, 2017, (the "Closing").

4. Representations, Warranties and Covenants of the Seller.

The Seller represents and warrants to the Purchaser as follows:

A. Seller has not received any written notice of: (i) any pending action, suit, arbitration, unsatisfied order or judgment which could materially and adversely affect the use and operation or the value of the Property, or (ii) any government investigation or proceeding pending against Seller which, if adversely determined, could materially interfere with the consummation of the transaction contemplated by this Agreement.

B. That Seller has not received written notice that any portion of the Property will be, subject to or affected by any condemnation or similar proceeding.

C. Seller is not a "foreign person" as defined in the Federal Foreign Investment in Real Property Tax Act of 1980.

D.. Seller has not received written notice of any material violations of any laws enacted by any federal, state, local or other governmental agency or regulatory body with respect to the Property which remain uncured and could materially and adversely affect the use and operation or the value of the Property or materially and adversely interfere with the consummation of the transaction contemplated by this Agreement.

E. No person, firm or other entity has any right or option to acquire the Property or any portion thereof or any interest therein.

F.. Seller has been duly organized and is in good standing under the laws of the State of New Jersey. Seller has the full right and authority to enter into this Agreement and to transfer all of the Property and to consummate or cause to be consummated the transaction contemplated by this Agreement. Each person signing this Agreement on behalf of Seller is authorized to do so.

G. Seller has no knowledge as to the presence of any underground fuel oil tanks being located at the Property.

H.. Seller has not entered into a services contract for the Property which will survive the Closing.

I. Seller represents that they have no knowledge of any on or off-site environmental defects, contaminants and/or other conditions.

J. Seller agrees to release the County from any and all claims arising prior to closing.

5. Representations and Warranties of Purchaser.

Subject to the provisions of Section 10, Purchaser represents and warrants to Seller that it has full power, in accordance with law, to enter into this Agreement and to carry out the transactions provided for herein. Neither the execution and delivery of this Agreement nor the consummation of the transactions provided for herein will constitute a violation or breach by Purchaser of any provision of any agreement or other instrument to which Purchaser is a party or

to which Purchaser may be subject although not a party, or will result in or constitute a violation or breach of any judgment, order, writ, injunction or decree issued against Purchaser. Subject to the provisions of Section of this Agreement, Purchaser has sufficient financial ability to consummate the transactions described herein and to secure the financing contemplated hereby.

6. Pre-Closing Covenants of Seller.

Seller covenants and agrees that subsequent to the date hereof and until the Closing:

A. The Seller shall maintain, repair and operate the Property in existing condition in accordance with Seller's customary maintenance procedure, subject to ordinary wear and tear.

B. Without the prior written consent of Purchaser in each instance which consent shall not be unreasonably withheld, no new service contract shall be made and none of the service contracts shall be amended or renewed, except as required by the terms thereof.

C. Purchaser, its attorneys, accountants and other representatives, during usual business hours and as often as may be reasonably requested, shall have reasonable access to the Property. Such access shall be on reasonable notice.

7. Condition of Title-Title Insurance.

7.01 Seller shall deliver marketable and insurable title (at regular insurance rates) to the Property, by bargain and sale deed with covenant against grantor's act, subject only to:

A. Such a state of facts as would be shown on an accurate survey provided such facts would not interfere with the use of the Property for public and governmental use.

B. Easements, covenants and restrictions of record which do not prohibit the use of the Property for public and governmental purposes.

C. Zoning ordinances and other governmental regulations provided the foregoing are not violated and permit the use of the Property for public and governmental purposes.

7.02. Promptly after the date of execution of this Agreement, Purchaser shall procure and forward to Seller a commitment to insure fee simple title to the Property, issued by the Title Company and which shall be from a title insurer licensed to do business in the State of New Jersey. At such time as Purchaser shall forward a copy of the foregoing commitment, Purchaser shall list each exception set forth in the commitment by the title company which does not conform with the exceptions set forth above, indicating which exceptions Purchaser shall

require Seller to cause to be omitted from any policy of fee title insurance to be delivered and accepted by Purchaser at the closing of title. In the event that additional title exceptions shall appear between the date of the commitment and the date of closing, then Purchaser shall promptly advise Seller which exceptions Purchaser shall not accept title subject to, and Seller shall cause such exceptions to be omitted to the extent practical in a manner acceptable to Seller.

Seller shall have thirty (30) days from the receipt of the title search within which to remove such non-permitted exceptions. If Seller has substantially completed the removal of non-permitted exceptions but requires additional time to complete such removal, Seller shall have such reasonable additional time as is needed. Seller shall not be obligated to commence any court action to remove any lien or defect in title, if any. In the event Seller is unable, after due diligence, to remove such non-permitted exceptions, Purchaser shall have the right either to accept such title as Seller can convey without abatement of the purchase price or to terminate this Agreement. Upon such termination, Purchaser shall be entitled to a return of all deposit monies, with interest, and the actual costs of title search and survey and upon such payment the parties shall be free of any other liability to each other.

Liens and encumbrances on the Property which can be satisfied upon the payment of money shall not be deemed non-permitted exceptions and, if not theretofore removed by the recording of discharge, satisfaction document, or mistaken identification affidavit reasonably acceptable to Purchaser's title company, can be removed by allocation of a portion of the purchase price due at closing towards payment thereof. In connection with such liens and encumbrances held by non-institutional lenders, Seller shall present at closing discharges, satisfactions or endorsed mortgages, all in recordable form. No lien or encumbrance held by a non-institutional lender shall be satisfied upon the payment of funds, except upon presentation of the appropriate discharge, satisfaction or canceled mortgage. In connection with institutional liens, upon presentation of an acceptable payoff letter, proceeds shall be utilized to pay same. In all instances, Seller shall remain liable for any shortfall in payment of such liens or encumbrances and such obligation shall survive closing.

8. Adjustments, Apportionments and Expenses.

8.01. The following shall be apportioned between Seller and Purchaser as of midnight preceding the Closing:

A. Real estate taxes on the basis of the calendar year for which assessed;

B. Water charges and sewer rents (if there be a water meter on the Property, Seller shall furnish a reading on or about the Closing and the unfixed water meter charge and the unfixed sewer rent, if any, based thereon for the intervening time shall be apportioned on the basis of such last reading);

8.02. If at the Closing the Property or any part thereof shall be or shall have been affected by an assessment or assessments which are or may become payable in annual installments of which the first installment is then a charge or lien or has been paid, then all the

unpaid installments of any such assessment then due shall be paid by Seller. Seller represents to the best of its knowledge that no such special assessment has been assessed as of the date hereof. Unconfirmed improvements or assessments, if any, shall be paid and allowed by Seller on account of the purchase price if the improvement or work has been completed on or before the date of closing of title hereunder.

8.03. The expenses of the Realty Transfer Fee, if applicable, on the conveyance shall be borne by Seller.

9. Provisions with Respect to the Closing.

9.01. On the Closing, the Seller shall deliver to the Purchaser the following:

A. A bargain and sale deed, with covenants against grantor's acts, to the Land and Improvements, duly executed and acknowledged by the Seller, and in proper form for recording. The grantee thereon shall be Purchaser. Purchaser shall have the right, at its sole cost and expense, to obtain a survey and metes and bounds description of the Property. Provided such survey accurately depicts the Property, Seller shall utilize such metes and bounds description in the deed by referencing same for information purposes only after the recitation of the description under which Seller receives the Property.

B. Such other documents as the Title Company reasonably requests, if same exist and are available to Seller.

9.02. On the Closing Date, the Purchaser shall deliver to the Seller all sums due under a closing statement executed by Purchaser and Seller. The foregoing shall be delivered by Purchaser or any permitted assignee.

10. Governing Body Approval Contingency.

This Agreement is subject to the approval of the governing bodies of Seller and the Purchaser.

11. Due Diligence.

The obligation of the Purchaser to purchase shall be contingent upon the following occurring within ninety (90) days (the "Due Diligence"):

A. Receipt by the Purchaser of a satisfactory Phase 1-Preliminary Assessment/Site Investigation of the Property.

B. Receipt of a satisfactory survey and title search for the Land.

C. Receipt of a satisfactory appraisal for the Land.

D. The time for completion of due diligence may be extended, with the written consent of the Seller, for an additional ninety (90) days, if the Purchaser has not received the items listed herein in Paragraphs 11.A, 11.B and 11.C, and the Purchaser has been diligently pursuing same. Further extensions may be obtained by consent of the parties.

E. If Purchaser disapproves of the results of the due diligence performed pursuant to this Part, the Parties shall have the opportunity to re-negotiate all parts, terms and conditions of this Contract. If re-negotiation is unsuccessful, either party may cancel this Contract. In this event, each Party shall bear its own costs without liability to the other.

12. Condition of Property.

The Seller shall remove the current tenant at the Property prior to the Closing. The Seller warrants that the tenant is currently an oral month to month tenant. The Property shall be delivered vacant and broom swept upon delivery of title.

13. Bulk Sale.

If applicable, Purchaser shall have the right to comply with N.J.S.A. 54:32B-22(c) and N.J.S.A. 54:50-38 and Seller shall reasonably cooperate in connection with such compliance. In furtherance thereof, Purchaser may deliver a Notification of Sale, Transfer, or Assignment in Bulk (Form C-9600) in the current form prescribed by the New Jersey Department of the Treasury, Division of Taxation (the "Division") (and such other forms as the Division may require), together with a fully executed copy of the Agreement to the Division by registered or certified mail or overnight delivery so that said notification is received by the Division not less than ten (10) days prior to Closing. Seller shall provide information reasonably requested by Purchaser to enable Purchaser to complete the notification. If, at any time prior to Closing, the Division informs Purchaser that a possible claim for state tax as defined in N.J.S.A. 54:48-2 is imposed, then Purchaser and Seller shall close as scheduled and without delay, and Purchaser shall withhold the portion of the Purchase Price equal to the amount of the claim, placing said amount in an escrow account ("Tax Escrow"). The Tax Escrow shall be held and disbursed pursuant to an escrow agreement in a form mutually, agreeable to Seller and Purchaser. The escrow agent shall be the Title Company (the "Tax Escrow Agent"). Notwithstanding anything contained herein to the contrary, Seller shall have the right to negotiate directly with the Division regarding the claim and the deficiency. If a tax clearance letter is issued by the Division or if the Division otherwise informs Purchaser, Seller or Tax Escrow Agent in writing that the Division will not assert liability against the Purchaser pursuant to the Bulk Transfer Statutes in connection with the transfer of the Property, then Seller may direct the Tax Escrow Agent to, and Tax Escrow Agent shall, release any and all amounts remaining in the Tax Escrow to Seller or Seller's designee.

14. Survival and Indemnity.

No covenants, representations or warranties shall survive the Closing Date unless expressly stated in this agreement.

15. Further Assurances.

From time to time after the Closing Date, Seller, without charge but at Purchaser's sole cost and expense, shall perform such other acts, and shall execute and acknowledge and shall furnish such other instruments, documents, materials and information, as Purchaser may reasonably request in order to confirm the consummation of the transaction provided for in this Agreement.

16. Notices.

All notices and other communications under this Agreement shall be in writing and shall be sent by (i) recognized overnight courier; or (ii) by telecopier with a copy sent simultaneously by regular mail; or (iii) registered or certified mail, return receipt requested, postage prepaid, addressed as follows: If intended for Purchaser to it at the address set forth above, with a copy to: Donato J. Battista, Esq., Administration Building Annex, 567 Pavonia Avenue, Jersey City, NJ 07306, email dbattista@hcnj.us, fax (201) 795-6428; and if intended for Seller, to the Seller at the address set forth above with copy to Jeremy Farrell, Esq., 280 Grove Street, Jersey City, NJ 07302, email jfarrell@jcnj.org, fax (201) 547-5229, or such other address, and to the attention of such person, of which Seller or Purchaser shall have given notice as herein provided. Any such notice or other communication shall be deemed to have been sufficiently given for all purposes hereof three (3) days following the date on which the same is deposited in a general or branch post office or mail box maintained by the Postal Service, certified mail, return receipt requested, the next day after delivery to a recognized overnight carrier, and on the day of actual service if served personally or by telecopier.

17. Miscellaneous Provisions.

17.01. In the event condemnation or eminent domain proceedings shall be commenced by any governmental or quasi-governmental authority having jurisdiction thereof against all or any part of the Property, Seller shall promptly notify Purchaser. Purchaser may, at its option, by giving written notice to Seller within twenty (20) days after receipt of notice of such proceedings, terminate this Agreement. In such event neither party shall have any further liability to the other. In the event Purchaser does not elect to terminate this Agreement, then any award in condemnation, as well as all unpaid claims and rights in connection with such condemnation, shall be assigned to Purchaser at closing or, if paid to Seller prior thereto, shall be credited against the unpaid balance of the Purchase Price due at closing. Seller shall not adjust or settle any condemnation awards without the prior written approval of Purchaser, provided that Purchaser has waived all contingencies in this Agreement.

17.02. In the event the Seller or Purchaser fail to close in accordance with this Agreement, the respective parties may commence any legal or equitable action to which they may be entitled.

17.03. This Agreement embodies and constitutes the entire understanding between the parties with respect to the sale and purchase provided for herein, and all prior agreements, understandings, representations and statements, oral or written, are merged into this Agreement. Neither this Agreement nor any provisions hereof may be waived, modified, amended, discharged or terminated except by an instrument in writing signed by the party against whom the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument.

17.04. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey. Any legal action or enforcement or any other issue relating to this Agreement shall be instituted in the Superior Court of the State of New Jersey located in Hudson County.

17.05 In the event that either party institutes action for the enforcement of any term of this Agreement, then, in addition to any other relief, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs incurred in prosecution of any action against the non-prevailing party. The provision of this Section 17.05 shall survive the Closing or earlier termination of this Agreement.

17.06. The captions in this Agreement are inserted for convenience or reference only and in no way define, describe or limit the scope or intent of this Agreement or any of the provisions hereof.

17.07. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

18. Assignment.

This Agreement may not be assigned without Seller's prior written consent, which consent may be withheld in Seller's discretion. Any purported assignment shall be deemed to be a breach of this Agreement of Sale. However, the right of the Purchaser to assign this Agreement to the Hudson County Improvement Authority is consented to by the Seller provided that the Purchaser remains liable for the performance of the Agreement by the Hudson County Improvement Authority.

19. Recording.

Seller agrees that the Purchaser may record a notice of settlement in the office of the Register of Hudson County, but neither this Agreement nor any memorandum may otherwise be recorded.

20. Condition of Property.

It is understood by the Purchaser that the Seller is selling this Property "AS IS", subject to the Due Diligence rights of the Purchaser. Notwithstanding the foregoing representation, the Property shall be materially in the same condition on the date of closing as it is at the time of

inspection, ordinary wear and tear and any damages created by Purchaser excepted. Within ten (10) days of the Effective Date, Seller shall make available to the Purchaser copies of all surveys, title insurance policies, environmental assessments and reports environmental filings with the State of New Jersey, approvals and service agreements. This agreement is entered into after Purchaser's and Seller's full investigation of all facts which each deemed material, neither party relying on any statement or representation made by the other which is not expressly stated in this agreement or which is not supported by such party's investigation. Purchaser has or will have inspected and examined the Land, and is thoroughly acquainted with their respective quality, nature, condition and use. With respect to the physical condition of the Property, Purchaser hereby expressly covenants and agrees that it shall acquire the Property hereunder "as is" "where is" as of the date hereof, and Purchaser assumes the Property with all its faults, subject to reasonable use, wear, tear and natural deterioration between the date hereof and the Closing Date.

21. *Pay to Play.*

This transaction is not subject to N.J.S.A. 19:44A-20.3 et. seq. otherwise known as "Pay to Play", as the Seller is a governmental agency and/or entity.

22. *Effective Date/Time Periods*

All periods of time set forth in the Agreement shall be calculated from and begin to run from the date upon which a fully executed copy of the Agreement is delivered to Purchaser and Seller (the "Effective Date"). All references to "days" shall refer to consecutive calendar days, including Saturdays, Sundays and legal New Jersey State or Federal holidays. If the final day of any time period in this Agreement falls on a Saturday, Sunday, or legal New Jersey State or Federal holiday, then the expiration of the time period shall be extended to the next regular working day (e.g. Saturday or Sunday would be extended to a Monday; and a holiday on a Wednesday would be extended to a Thursday). Purchaser shall have a reasonable time after the expiration of any time period set forth herein to exercise any rights of cancellation or rights to demand or seek repair, remedy or cure from the Seller. No action or inaction by the Purchaser shall be or shall constitute a waiver of any right granted under this Agreement, nor shall the mere passage of time result in or constitute a waiver of any right, unless Purchaser shall expressly waive such right in a writing.

23. *Duplicate Originals*

Two or more duplicate originals of the Agreement may be signed by the parties, each of which shall be an original but all of which together shall constitute one and the same instrument. Facsimile or electronic signatures will be accepted as if they were originals. The Agreement may be signed in counterparts, wherein the respective counterparts will be treated as one signed Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESS/ATTEST:

SELLER: CITY OF JERSEY CITY

By: _____
Robert Kakoleski, Business Administrator

PURCHASER: COUNTY OF HUDSON

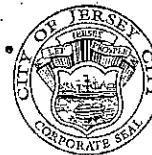
By: _____
Abraham Antun, County Administrator

EXHIBIT A

PROPERTY DESCRIPTION

33-37 Oakland Avenue, 26, 28, 30 Cook Street, and 393 Hoboken Avenue in the City of Jersey
City, Hudson County, New Jersey
Block 8102, Lots 1, 6, 7, 25, 26, 27

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. _____ Ord. 17-073
TITLE: _____ 3.B JUN 14 2017 4.B JUN 28 2017

Ordinance authorizing the City of Jersey City to sell property located at 26-30 Cook Street, 393 Hoboken Avenue, and 33-37 Oakland Avenue, Jersey City to the County of Hudson.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 6-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date JUN 28 2017

APPROVED:

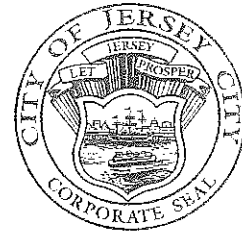
Steven M. Fulop, Mayor
Date JUN 29 2017

Date to Mayor JUN 29 2017

City Clerk File No.: Ord. 17-075

Agenda No. 3.D 1st Reading

Agenda No. 4.C. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-075

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING OR STOPPING) CREATING SECTION 332-28.1C (ELECTRIC VEHICLE CHARGING AREAS) DESIGNATING PARKING FOR ELECTRIC OR PLUG-IN HYBRID VEHICLES

WHEREAS, The City of Jersey City (City) has strived to provide leadership and guidance on emerging topics important to the Constituents of the City; and

WHEREAS, the City recognizes the importance of supporting the use of alternative fuel vehicles in the interest of air quality and reducing dependence on foreign oil; and

WHEREAS, the City anticipates a growing trend in the use of electric vehicles and the need for supporting electric vehicle infrastructure (EVI); and

WHEREAS, the City has determined a need to create an Electric Vehicle Charging Area unique to parking for electric or plug-in hybrid vehicles.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code is hereby supplemented as follows:

Article III Parking, Standing and Stopping

Sec. 332-28 No Change

Section 332-28.1.A. **Definitions**

AC: alternating current (electricity)

Battery: a cell or cells onboard an electric vehicle which is used for storing and furnishing electrical energy for the purpose of propelling the vehicle.

Battery Electric Vehicle (BEV): an electric vehicle with an onboard battery that operates exclusively on electrical energy from the battery which battery is charged from an electrical power source (charging station) not onboard the vehicle.

Charging level: the standardized indicators of electrical force, or voltage at which an electric vehicle's battery is recharged. Typical electric vehicle charging levels and specifications are:

- (a) Level 1 – AC slow battery charging. Voltage is 120 volts.
- (b) Level 2 – AC medium battery charging. Voltage is between 120 volts and 240 volts.
- (c) Level 3 – DC fast or quick battery charging. Voltage is greater than 204 volts. Sometimes referred to as "DC Fast."

JDS:pcl
(01.26.17)

Charging Station: equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device located onboard an electric vehicle. Various type of charging stations include:

- (a) Accessible charging station:** a charging station incorporated into or immediately adjacent to a handicapped parking space as "handicapped parking space" is defined by the New Jersey State Statutes.
- (b) Level 3 charging station:** (sometimes: DC Fast charging station) a charging station that provides any single-phase voltage or current rating higher than that of Level 2, or any three-phase supply voltage configuration.
- (c) Private charging station:** a charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking, etc.) or (2) publicly owned and restricted (e.g. fleet parking with no access to the general public).
- (d) Public charging station:** a charging station that is (1) publicly owned and publicly available (e.g., park & ride, public parking lots, on-street parking, etc.) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots, etc).

Charging station equipment: the conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging stations or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicles.

Charging station place: a dedicated, marked space that identifies the use thereof as exclusively for the charging of electric vehicles.

Electric scooters and/or motorcycles: a 2-wheel or 3-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle's batteries.

Electric vehicle: a vehicle that operates, either partially or exclusively, on electrical energy from a charging station or other electrical energy source that is stored in the vehicle's battery for propulsion purposes. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) electric scooters or motorcycles.

Neighborhood electric vehicle: an electric vehicle with four(4) wheels that conforms to federal regulations under Title 49 C.F.R. Part 571.5000 which can from a stand still attain a speed of 20 miles per hour (mph) within one (1) mile but cannot exceed a speed of more than 25 mph.

Non-electric vehicle: a vehicle that does not meet the definition of "electric vehicle" as provided herein.

Plug-in hybrid electric vehicle (PHEV): an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor, and (2) charges its battery primarily by connecting to a charging station or other electrical source not on board the vehicle; (3) may additionally be able to sustain a battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to be propelled through the use of electricity.

Vehicle: has the same meaning as provided in the New Jersey State Statute, Title 39, MOTOR VEHICLES AND TRAFFIC REGULATIONS, Chapter 1, DEFINITIONS, 39.1.1. Words and phrases defined

Sec. 332-28.1.B. Guidelines related to parking for Electric Vehicles Only.

SECTION 1. Notification and Signage

- (a) At the direction of the Municipal Engineer shall cause appropriate signs and markings to be placed in an around electric vehicle charging stations, indicating prominently thereon the parking regulations. The signs shall identify the voltage and amperage levels; define time limits, fees, and hours of operation, as applicable; and state that the charging station space is reserved for charging purposes only, which is to be defined as occurring when a vehicle is connected to the EVSE for electric charging purposes.**
- (b) Parking signage related to electric vehicle parking and charging stations in public parking facilities or on public roads shall accurately reflect the City's Code of Ordinances provisions as applied to days and times of parking enforcement under City Code Sections 332-31(street cleaning)332-58(Parking restrictions in residential zones) If there is a conflict between on-street parking signage and associated electric vehicle parking spaces and charging stations with respect to days, hours of enforcement, and/or maximum parking times, the information contained in the parking signage shall apply.**

SECTION 3. Prohibitions

- (a) When a sign authorized under Section 2 above provides notice that a space is designated as electric vehicle parking or an electric vehicle charging station, no person shall stop, stand, or park any non-electric vehicle, or otherwise block access to parking, in any such designated parking space or charging station.**

- (b) When a sign authorized under Section 2 above provides notice that a space is designated as electric vehicle charging station, it is unlawful to park or permit to be parked any vehicle, including an electric vehicle, if such electric vehicle is not in the process of charging. Only one electric vehicle should occupy any space marked as an electric vehicle parking space or charging station, and no person should park except within the boundaries of the space defined.

SECTION 4. Enforcement

- (a) Electric vehicle parking spaces and charging stations shall be enforced by any Police Officer or Parking Enforcement Officer as defined in Code Section 3-91(2).
- (b) Violations of this chapter shall be punishable in accordance with Code Section 3-91(2). Each day such violation is committed shall constitute a separate offense and shall be punishable as such.
- (c) In addition to a fine, a person who has parked or left a vehicle standing upon a street, alley, or City parking lot or garage in violation of this paragraph is subject to having the vehicle removed from the street, alley or City parking lot or garage in accordance to Code Section 3-91(4).

Section 328-28.1.C.

Electric Vehicle Charging Area

No person shall park a vehicle upon any of the streets or parts thereof listed below except an electric or hybrid plug-in vehicle.

<u>Name of Street</u>	<u>Side</u>	<u>Limits</u>
<u>First St</u>	<u>North</u>	<u>Beginning 70 feet east of Marin Blvd</u> <u>Total of 8 parking spaces)</u>
		<u>Beginning 215 feet east of Marin Blvd</u> <u>(Total of 12 parking spaces</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel be and they are hereby authorized and director to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material to be inserted is underscored.

JDS:pcl
(01.26.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
Director of Traffic & Transportation

APPROVED: 
Municipal Engineer

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING OR STOPPING) CREATING SECTION 332-28.1C (ELECTRIC VEHICLE CHARGING AREAS) DESIGNATING PARKING FOR ELECTRIC OR PLUG-IN HYBRID VEHICLES

Initiator

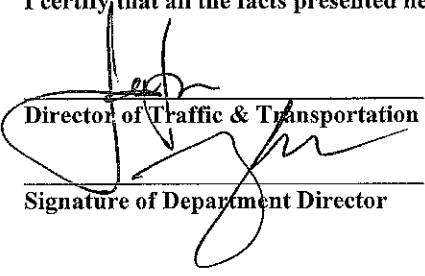
Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of the Mayor's Office and the Downtown Community	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Creating Sec. 332.28.1.A (Definitions) related to Electric Vehicles and Stations; Sec. 332-28.1.B (Guidelines related to parking for Electric Vehicles Only) and Sec. 332-28.1.C. (Electric Vehicle Charging Area) designating the streets where parking is prohibited except for electric vehicles, such as First Street; North side; beginning 70 feet east of Marin Boulevard (total of 8 parking spaces) and the north side of First Street; beginning 215 feet east of Marin Boulevard (total of 12 parking spaces).

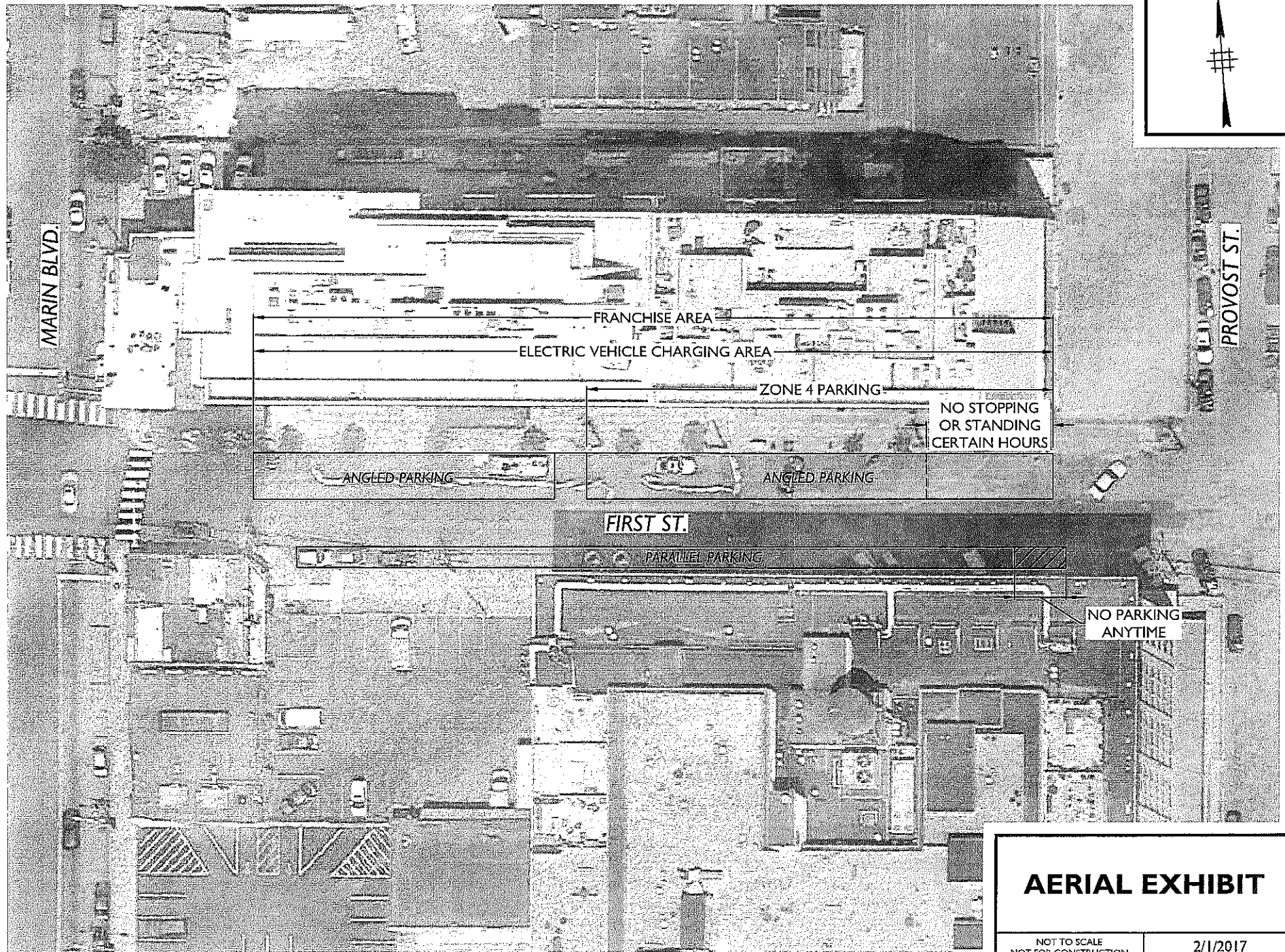
I certify that all the facts presented herein are accurate.


Director of Traffic & Transportation

Signature of Department Director

5/2/17
Date

4/7/17
Date



AERIAL EXHIBIT

NOT TO SCALE
NOT FOR CONSTRUCTION

2/1/2017



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ENGINEERING, TRAFFIC & TRANSPORTATION

Municipal Services Complex
13-15 Linden Avenue East | Jersey City, NJ 07305
Engineering Desk: 201-547-4411 | Traffic Desk: 201-547-4470



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: May 2, 2017

TO: Jeremy Farrell, Corporation Counsel
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Candice Osborne, Councilwoman, Ward E

FROM: Patricia Logan, Engineering Aide
Division of Engineering, Traffic and Transportation

SUBJECT: **PROPOSED ORDINANCES – FIRST STREET
ELECTRIC CHARGING VEHICLES & STATIONS**

At the request of the Mayor's Office and the Downtown Community, attached for your review, are Ordinances proposed by this Division, (for Municipal Council approval) for the following parking amendments:

Amending Sec. 332-22 (No parking any time) designating 20 feet on the south side of First Street in front of the loading dock beginning 347 feet east of Marin Boulevard as no parking any time. This loading dock is active and services the businesses at 150 Bay Street.

Amending Sec. 332-26 (No stopping or standing certain hours) designating the last four angle parking spaces on the north side of First Street, east of Marin Boulevard as no stopping or standing Monday through Friday, Except Holidays, 8:00 a.m. to 5:00 p.m. This parking restriction is necessary to accommodate the tractor trailers and other trucks that load and unload at the loading dock located on the opposite side of First Street which services 150 Bay Street and thereby improve the traffic circulation and capacity during the delivery process.

Supplementing Sec. 332-27 (Angle Parking) designating the north side of First Street beginning 70 feet east of Marin Boulevard, 45 degree, head-in parking only (total 8 spaces) and beginning 215 feet east of Marin Boulevard, 45 degree, head in-parking only (total 12 spaces). This area services electric charging vehicles and was authorized via Franchise Ordinance 14. 062.

Creating Sec. 332.28.1.A (Definitions) related to Electric Vehicles and Stations; Sec. 332-28.1.B (Guidelines related to parking for Electric Vehicles Only) and Sec. 332-28.1.C. (Electric Vehicle Charging Area) designating the streets where parking is prohibited except for electric vehicles, such as First Street; North side; beginning 70 feet east of Marin Boulevard (total of 8 parking spaces) and the north side of First Street; beginning 215 feet east of Marin Boulevard (total of 12 parking spaces).

Continued.....

Page 2

May 2, 2017

Jeremy Farrell, Corporation Counsel

Robert Kakoleski, Business Administrator

Robert Byrne, City Clerk

Councilwoman Osborne

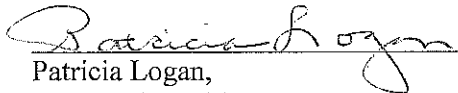
PROPOSED ORDINANCES – FIRST STREET

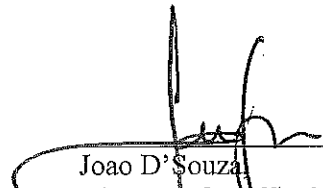
ELECTRIC CHARGING VEHICLES & STATIONS

Amending Sec. 332-58 (Permit parking) amending Zone 4 Residential Permit Parking to include the north side of First Street beginning at Marin Boulevard and extending 54 feet east and beginning 215 feet east of Marin Boulevard and extending to Provost Street.

Councilwoman Osborne has been advised of the proposed legislation. (Email attached) It is anticipated the Ordinances will be on the Agenda for the May 24, 2017 Municipal Council Meeting.

If you have any questions regarding these Ordinances, please feel free to contact Andrew Vischio, P.E., Assistant Traffic Engineer at extension 4419 or AVischio@jenj.org.


Patricia Logan,
Engineering Aide


Joao D'Souza
Director of Traffic & Transportation

C: Jose R. Cunha, P.E., C.M.E., C.P.W.M., C.R.P., Municipal Engineer

Andrew Vischio, P.E., Assistant Traffic Engineer

Mark Albiez, Chief of Staff

Brian Platt, Office of Innovation

Bhavini Doshi, Law Department

Mary Spinello-Paretti, Business Manager, Parking Enforcement Division

Council President Lavarro, Jr.

Councilman Gajewski

Councilman Yun

Councilwoman Watterman

Councilman Gadsden

Councilman Robinson

Councilman Rivera

Councilman Boggiano

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-075
TITLE: 3.D JUN 14, 2017 4.C JUN 28 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing or Stopping) creating Section 332-28.1C (Electric Vehicle Charging Areas) designating parking for electric or plug-in hybrid vehicles.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote.

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALKER
 KEVIN G. MILLER
 GREGG LANEZ
 ORON ZCHUT
 MOSHE SCHAPIRO
 DAVID SPORKIN
 DEBRA ITALIANO
 DIANA ARINOVICH
 ANISH BATAJ
 KATHRYN MOORE
 NATALIE MINIARD
 ILANA LIBMAN
 GRACY JOLLY
 MIKE KULOWSKI
 BRENT TAYLOR

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date JUN 28 2017

APPROVED:

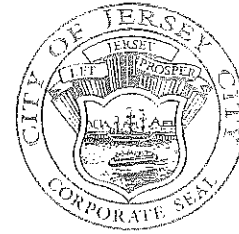
Steven M. Fulop, Mayor
Date JUN 30 2017

Date to Mayor JUN 29 2017

City Clerk File No. Ord. 17-076

Agenda No. 3.E 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-076

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III(PARKING, STANDING AND STOPPING) OF THE JERSEY CITY TRAFFIC CODE AMENDING SECTION 332-27(ANGLE PARKING) DESIGNATING ON THE NORTH SIDE OF FIRST STREET 8 PARKING SPACES AT A 45 DEGREE ANGLE (HEAD-IN PARKING ONLY) BEGINNING 70 FEET EAST OF MARIN BOULEVARD AND DESIGNATE 12 PARKING SPACES AT A 45 DEGREE ANGLE (HEAD-IN PARKING ONLY) BEGINNING 215 FEET EAST OF MARIN BOULEVARD

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

- Chapter 332(Vehicles and Traffic) Article III (Parking, Standing And Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-27

ANGLE PARKING

No person shall park a vehicle upon any of the streets or parts thereof listed below except at the angle designated.

Name of Street	Side	Angle (degrees)	Limits
<u>First St</u>	<u>North</u>	<u>45 Degrees</u>	<u>Beginning 70 feet east of Marin Blvd</u>
		<u>Head-In</u>	<u>(Total of 8 parking spaces)</u>
		<u>Parking Only</u>	
		<u>45 Degrees</u>	<u>Beginning 215 feet east of Marin Blvd</u>
		<u>Head-In</u>	<u>(Total of 12 parking spaces)</u>
		<u>Parking Only</u>	

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new and underscored.

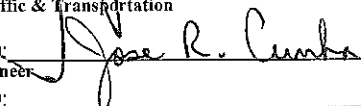
JDS:pci
(0126.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
Director of Traffic & Transportation

APPROVED: 
Municipal Engineer

APPROVED: 
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) OF THE JERSEY CITY TRAFFIC CODE AMENDING SECTION 332-27(ANGLE PARKING) DESIGNATING ON THE NORTH SIDE OF FIRST STREET 8 PARKING SPACES AT A 45 DEGREE ANGLE (HEAD-IN PARKING ONLY) BEGINNING 70 FEET EAST OF MARIN BOULEVARD AND DESIGNATE 12 PARKING SPACES AT A 45 DEGREE ANGLE (HEAD-IN PARKING ONLY) BEGINNING 215 FEET EAST OF MARIN BOULEVARD

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of the Mayor's Office and the Downtown Community	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Supplementing Sec. 332-27 (Angle Parking) designating the north side of First Street beginning 70 feet east of Marin Boulevard, 45 degree, head-in parking only (total 8 spaces) and beginning 215 feet east of Marin Boulevard, 45 degree, head in-parking only (total 12 spaces). This area services electric charging vehicles and was authorized via Franchise Ordinance 14. 062.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



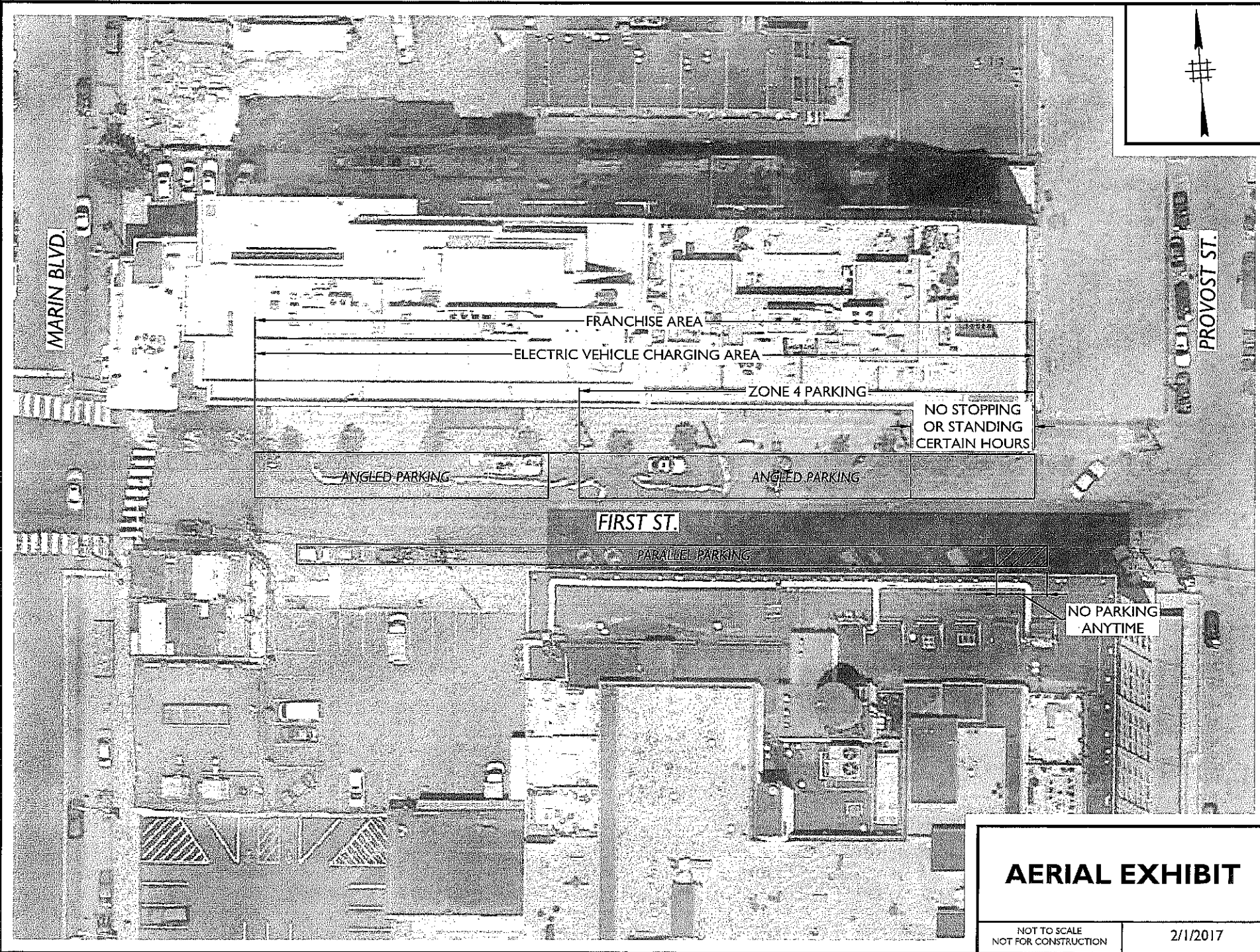
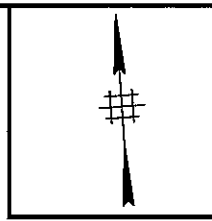
Signature of Department Director

5/2/17

Date

6/2/17

Date



AERIAL EXHIBIT

NOT TO SCALE
NOT FOR CONSTRUCTION

2/1/2017

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-076
TITLE: 3.E JUN 14 2017 4.D

JUN 28 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing or Stopping) of the Jersey City Traffic Code amending Section 332-27 (Angle Parking) designating on the north side of First Street 8 parking spaces at a 45 degree angle (Head-In Parking Only) beginning 70 feet east of Marin Boulevard and designate 12 parking spaces at a 45 degree angle (Head-In Parking Only) beginning 215 feet east of Marin Boulevard.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

CHARLES HARRINGTON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 14 2017**
Adopted on second and final reading after hearing on **JUN 28 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUN 28 2017**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President
Date **JUN 28 2017**

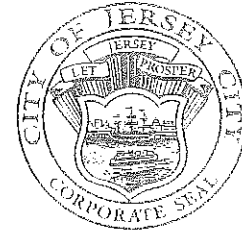
APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor
Date **JUN 30 2017**
Date to Mayor **JUN 29 2017**

City Clerk File No. Ord. 17-077

Agenda No. 3.F 1st Reading

Agenda No. 4.E. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-077

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE AMENDING ARTICLE III (PARKING, STANDING AND STOPPING) SECTION 332-26(NO STOPPING OR STANDING CERTAIN HOURS) DESIGNATING NO STOPPING OR STANDING ON THE NORTH SIDE OF FIRST STREET, AT THE LAST FOUR ANGLE PARKING SPACES EAST OF MARIN BOULEVARD, MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., EXCEPT PUBLIC HOLIDAYS

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing And Stopping) of the Jersey City Code is hereby supplemented as follows:

Section 332-26 No stopping or standing certain hours.
No person shall stop or stand a vehicle between the times specified upon up any of the streets, or parts thereof, listed below

Name of Street	Sides	Days of Week	Hours	Limits
<u>First St</u>	<u>North</u>	<u>M - F</u> <u>Except</u> <u>Holidays</u>	<u>8:00 a.m. to</u> <u>5:00 p.m.</u>	<u>Last four angle parking spaces east of</u> <u>Marin Blvd</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

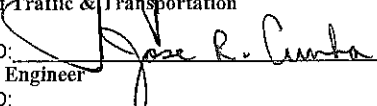
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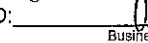
JDS:pcj
(01.26.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

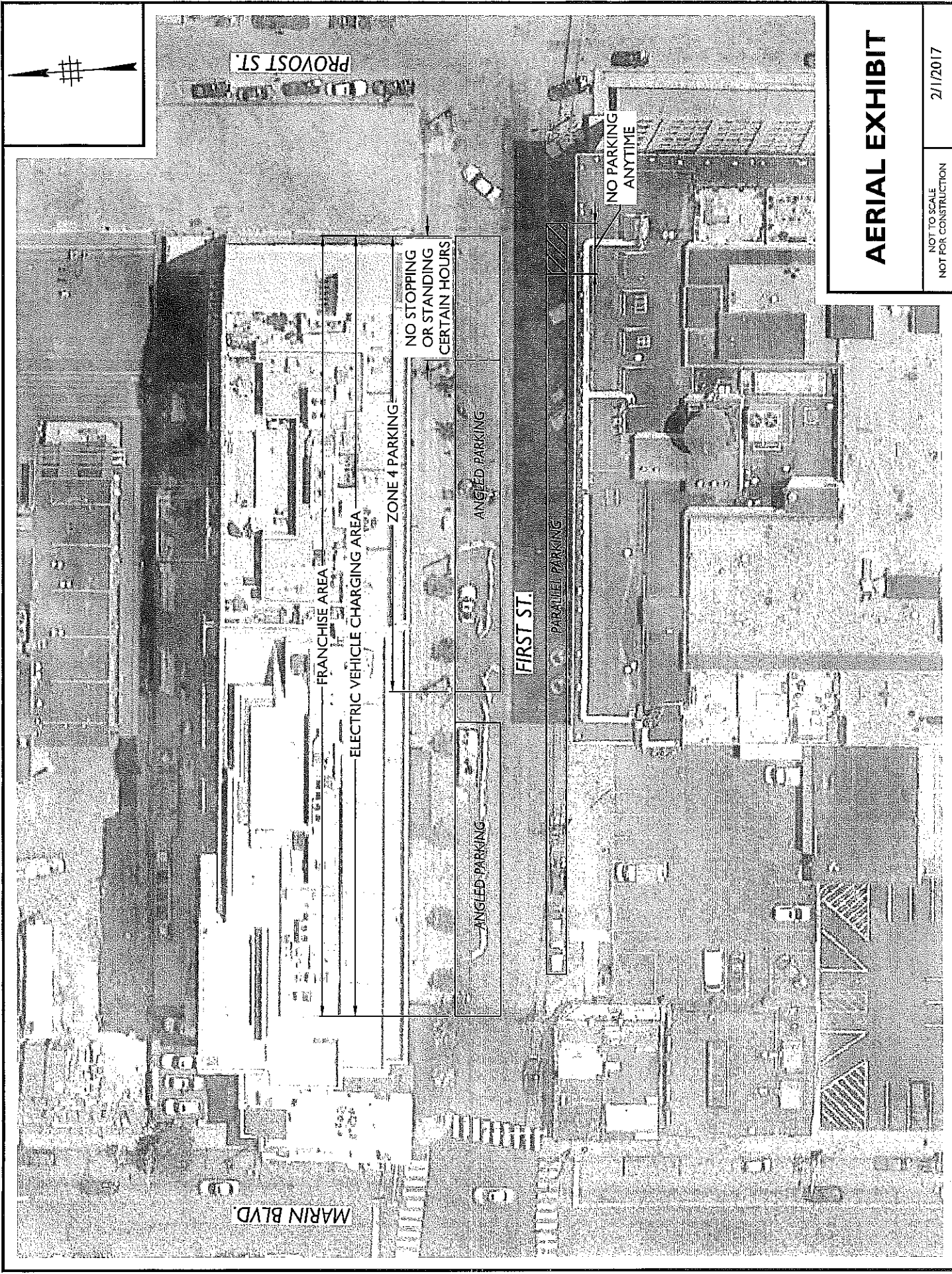
APPROVED: 
Director of Traffic & Transportation

APPROVED: 
Municipal Engineer

APPROVED: 
Business Administrator

Certification Required ☐

Not Required ☐



AERIAL EXHIBIT

NOT TO SCALE
NOT FOR CONSTRUCTION

2/1/2017

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332(VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE AMENDING ARTICLE III (PARKING, STANDING AND STOPPING) SECTION 332-26(NO STOPPING OR STANDING CERTAIN HOURS) DESIGNATING NO STOPPING OR STANDING ON THE NORTH SIDE OF FIRST STREET, AT THE LAST FOUR ANGLE PARKING SPACES EAST OF MARIN BOULEVARD, MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., EXCEPT PUBLIC HOLIDAYS

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

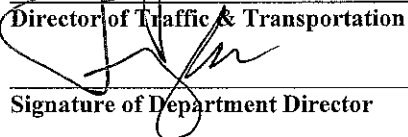
The Division of Engineering, Traffic and Transportation recommends amending Sec. 332-26 (No stopping or standing certain hours) designating the last four angle parking spaces on the north side of First Street, east of Marin Boulevard as no stopping or standing Monday through Friday, Except Holidays, 8:00 a.m. to 5:00 p.m.

This parking restriction is necessary to accommodate the tractor trailers and other trucks that load and unload at the loading dock located on the opposite side of First Street which services 150 Bay Street and thereby improve the traffic circulation and capacity during the delivery process.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



Signature of Department Director



Date



Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-077
TITLE: 3.F JUN 14 2017 4.E JUN 28 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code amending Article III (Parking, Standing and Stopping) Section 332-26 (No Stopping or Standing Certain Hours) designating No Stopping or Standing on the north side of First Street, at the last four angle parking spaces east of Marin Boulevard, Monday through Friday, 8:00 a.m. to 5:00 p.m., except public holidays.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>BOGGIANO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date

JUN 28 2017

APPROVED:

Steven M. Fulop, Mayor

Date

JUN 30 2017

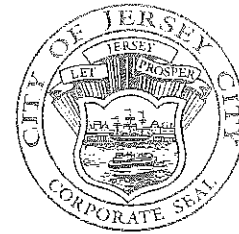
JUN 29 2017

Date to Mayor

City Clerk File No. Ord. 17-078

Agenda No. 3. G 1st Reading

Agenda No. 4. F. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-078

TITLE:

**AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC)
ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION
332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE
DESIGNATING 20 FEET IN FRONT OF THE LOADING DOCK AT 147 FIRST
STREET NO PARKING ANYTIME**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 **PARKING PROHIBITED AT ALL TIMES**
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
<u>First St</u>	<u>South</u>	<u>347 feet east of Marin Boulevard 20 feet east</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is new and underscored.

JDS:pci
(01.26.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
Director of Traffic & Transportation

APPROVED: 
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET -- NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE DESIGNATING 20 FEET IN FRONT OF THE LOADING DOCK AT 147 FIRST STREET NO PARKING ANYTIME

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The Division of Engineering, Traffic and Transportation recommends amending Sec. 332-22 (No parking any time) designating 20 feet on the south side of First Street in front of the loading dock beginning 347 feet east of Marin Boulevard as no parking any time.

This loading dock is active and services the businesses at 150 Bay Street.

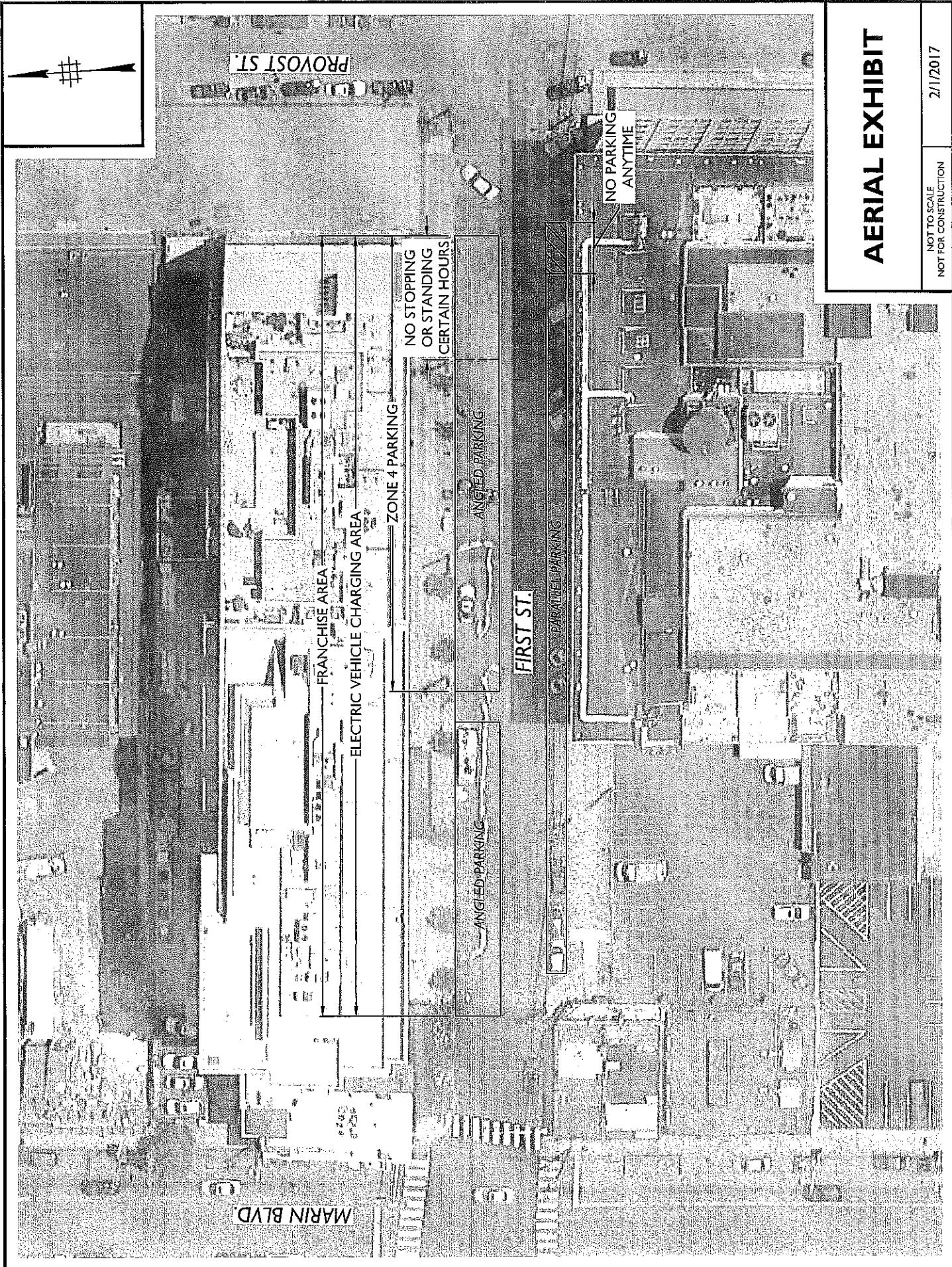
I certify that all the facts presented herein are accurate.


Director of Traffic & Transportation

Signature of Department Director

5/2/17
Date

6/7/17
Date

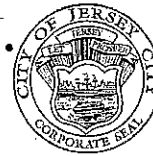


AERIAL EXHIBIT

NOT TO SCALE
NOT FOR CONSTRUCTION

2/1/2017

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-078
TITLE: 3.G JUN 14 2017 4.F

JUN 28 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III Parking, Standing and Stopping) amending Section 332-22 (Parking Prohibited At All Times) of the Jersey City Code designating 20 feet in front of the loading dock at 147 First Street No Parking Anytime.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President
Date JUN 28 2017

APPROVED:

Steven M. Foley
Steven M. Foley, Mayor
Date JUN 30 2017

Date to Mayor JUN 29 2017

City Clerk File No. Ord. 17-079

Agenda No. 3. H 1st Reading

Agenda No. 4. G. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-079

TITLE:
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VIII (PERMIT PARKING) AMENDING 332-58 OF THE JERSEY CITY TRAFFIC CODE REPEALING TWELVE ANGLE PARKING SPACES AT 160 FIRST STREET FROM THE ZONE 4 RESIDENTIAL PERMIT PARKING

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article VIII (Permit Parking) of the Jersey City Code is hereby supplemented as follows:

Article VIII PERMIT PARKING

Sec. 332-58 Parking restrictions in residential zones.

No person shall park a vehicle in excess of two (2) hours; between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, without a valid permit upon any of the streets or parts of streets as described below.

Zone 1	No Change
Zone 2	No Change
Zone 3	No Change

ZONE 4

<u>Name of Street</u>	<u>Limits</u>
Bay St	From Washington St to Marin Blvd
First St	[From Washington St to Marin Blvd] <u>North side: Marin Blvd 170 feet east</u> <u>South Side: Washington St to Marin Blvd</u>
Greene St	From Grand St to Columbus Dr
Hudson St	Entire length
Marin Blvd	From Columbus Dr to Sixth St
Montgomery St	From Exchange Pl to Warren St
Morgan St	From Washington St to Marin Blvd
Provost St	Entire length
Second St	From the Eastern Terminus to Marin Blvd
Warren St	From York St to Second St
Washington St	From Columbus Dr to First St
Washington St	From Grand St to First St
York St	From Hudson St to Warren St

Continued.....
JDS:pc1
(01.26.17)

Zone 5 No Change
 Zone 6 No Change
 Zone 7 No Change

B. No Change
 Zone 9 No Change

C. No Change
 Zone 10 No Change
 Zone 12 No Change
 Zone 15 No Change

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

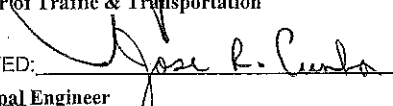
NOTE: New material to be inserted is underscored; material to be repealed is in *[brackets]*.

JDS:pcl
 (01.26.17)

APPROVED AS TO LEGAL FORM

 Corporation Counsel

APPROVED: 
 Director of Traffic & Transportation

APPROVED: 
 Municipal Engineer

 Business Administrator

Certification Required ☐
 Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY CODE ARTICLE VIII (PERMIT PARKING) AMENDING 332-58 OF THE JERSEY CITY TRAFFIC CODE REPEALING TWELVE ANGLE PARKING SPACES AT 160 FIRST STREET FROM THE ZONE 4 RESIDENTIAL PERMIT PARKING

Initiator

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of the Mayor's Office and the Downtown Community	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

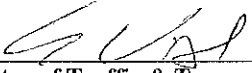
Ordinance Purpose

Amending Sec. 332-58 (Permit parking) amending Zone 4 Residential Permit Parking repealing Zone 4 permit parking from the north side of First Street beginning at Marin Boulevard to a point 170 east

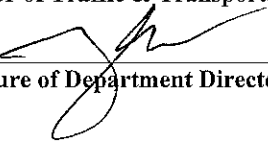
The first 8 angle parking spaces will be open to electric charging vehicles as well as standard vehicles and will be included in the Zone 4 Residential Permit Parking Program.

The second set of angle parking spaces will not be included in the Zone 4 Residential Permit Parking Program and the first 8 of those spaces will be designated exclusively for electric charging vehicles.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



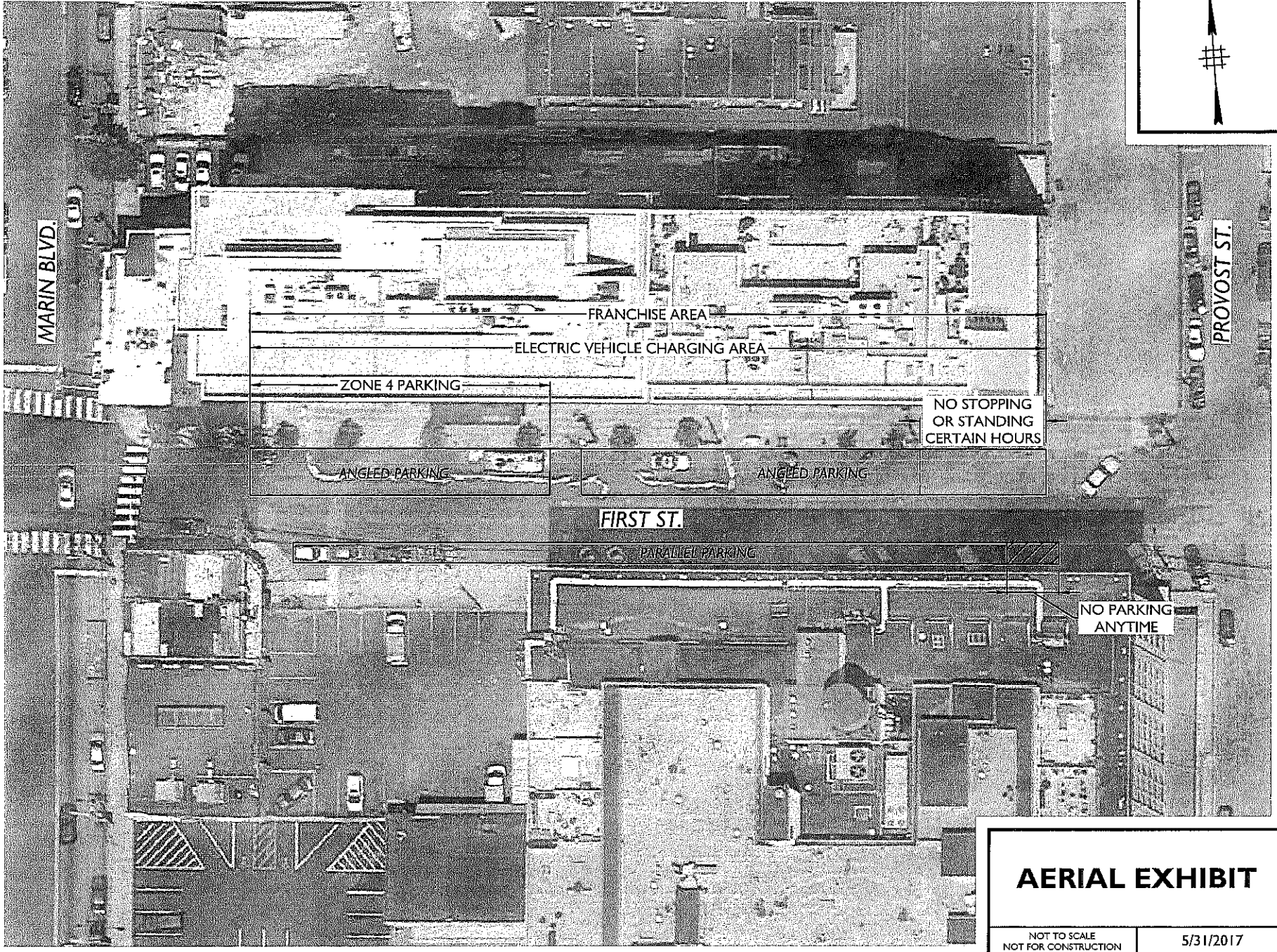
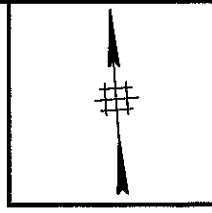
Signature of Department Director

6/6/17

Date

6/4/17

Date



MARIN BLVD.

PROVOST ST.

FRANCHISE AREA

ELECTRIC VEHICLE CHARGING AREA

ZONE 4 PARKING

NO STOPPING
OR STANDING
CERTAIN HOURS

ANGLED PARKING

ANGLED PARKING

FIRST ST.

PARALLEL PARKING

NO PARKING
ANYTIME

AERIAL EXHIBIT

NOT TO SCALE
NOT FOR CONSTRUCTION

5/31/2017

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-079
TITLE: 3.H JUN 14 2017 4.G JUN 2 8 2017

An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Code Article VIII (Permit Parking) amending 332-58 of the Jersey City Traffic Code repealing twelve angle parking spaces at 160 First Street from the Zone 4 Residential Permit Parking.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 2 8 2017 5-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>BOGGIANO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

KATHRYN MOORE
CHARLES HARRINGTON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 2 8 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 2 8 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on JUN 2 8 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date JUN 2 8 2017

APPROVED:

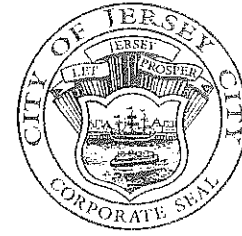
Steven M. Fulop, Mayor
Date JUN 3 0 2017
JUN 2 9 2017

Date to Mayor

City Clerk File No. Ord. 17-080

Agenda No. 3. I 1st Reading

Agenda No. 4. H. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-080

TITLE: **ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 260
(RENT CONTROL) OF THE JERSEY CITY MUNICIPAL CODE**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following amendments to Chapter 260 (Rent Control) of the Jersey City Municipal Code are hereby adopted:

CHAPTER 260 RENT CONTROL

§260-1. Definitions

A. Exempt from this definition are:

(1) Dwellings with four or less housing spaces.

(2) Low rent public housing developments.

~~{{(3) Units where rent is determined as a factor of income.}}~~

~~{{(4) Units receiving state or federal subsidies directly to the owner and where federal preemption from local rent control is ordered by the United States Department of Housing and Urban Development, pursuant to federal law or regulation.}}~~

~~{{(5)}}~~ (3) Licensed hotels or motels and commercial and industrial space.

~~{{(6)}}~~ (4) Newly constructed dwellings with 25 or more dwelling units located within a redevelopment area as defined in Section 5 of the Redevelopment Agencies Law, N.J.S.A. 40:55C-5(o), for which the City Council has approved a redevelopment plan, in accordance with Section 17 of the Redevelopment Agencies Law, N.J.S.A. 40:55C-17.

~~{{(7)}}~~ (5) All buildings or structures, hotels, motels or guesthouses which are converted from any previous use as a nonpermanent dwelling to use as a dwelling on or after October 1, 1983. For the purpose of this exemption, a building shall be deemed converted for use as a dwelling on the date on which the certificate of occupancy for dwelling use is issued.

B. No Change.

§260-2. - Through §260-20. - No Change.

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: All new material is underlined; words in ~~[brackets]~~ are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-080
TITLE: 3.1 JUN 14 2017 4.H

JUN 28 2017

Ordinance amending and supplementing Chapter 260 (Rent Control) of the Jersey City Municipal Code. (Section 8)

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMANN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER
CATHY GREEN
COLIN DEVRIES
JYL JOSEPHSON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____				& adopted							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 14 2017**
Adopted on second and final reading after hearing on **JUN 28 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUN 28 2017**

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date **JUN 28 2017**

APPROVED:

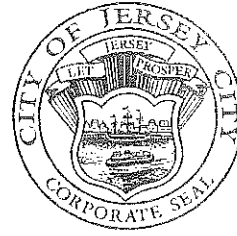
Steven M. Fulop, Mayor
Date **JUN 30 2017**

Date to Mayor **JUN 29 2017**

City Clerk File No. Ord. 17-083

Agenda No. 3. L 1st Reading

Agenda No. 4. K. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-083

TITLE:

**ORDINANCE ACCEPTING FROM COA 99 HUDSON, LLC,
A DEDICATION OF CERTAIN SIDEWALKS WITHIN THE
HUDSON STREET, YORK STREET, AND GRAND STREET
RIGHTS OF WAY**

WHEREAS, COA 99 Hudson, LLC, a New Jersey Limited Liability company, having its principal office at 1500 Broadway, 23rd Floor, New York, New York 10036 ("COA"), is the owner of 99 Hudson Street also referred to as Block 14507, Lot 1 on the current tax maps of the City of Jersey City (the "Property"); and

WHEREAS, COA applied for and received Preliminary and Final Major Site Plan approval from the Jersey City Planning Board on June 9, 2015. An Amendment to the Site Plan Approval was obtained on January 12, 2016 for the construction of a new seventy-nine (79) story mixed used building including seven hundred and eighty-one (781) market rate residential units, 15,666 sq. ft. of retail space, six hundred and nine (609) parking spaces and 14,822 sq. ft. of open space on the Property (the "Development"); and

WHEREAS, in connection with the Development, COA was obligated by the Colgate Redevelopment Plan to dedicate a portion of the Property to the Hudson Street, York Street, and Grand Street public rights-of-way; and

WHEREAS, Ordinance 17-020, adopted on March 18, 2017, authorized the City of Jersey City ("City") to accept a dedication of a portion of COA's Property as part of the Hudson Street and York Street public roadways; and

WHEREAS, in connection with the Development, COA is obligated by the Colgate Redevelopment Plan to dedicate a portion of its Property to the Hudson Street, York Street, and Grand Street rights-of-way as public sidewalks; and

WHEREAS, COA desires to dedicate to the City as public sidewalks the areas of the Property as described below; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of land and appurtenances for public purposes.

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The portions of the land, improvements and appurtenances that are located within the Property, more particularly described as a portion of Block 14507, Lot 1 consisting of approximately 0.118 acres described in Exhibit A attached hereto and shown on Exhibit B attached hereto are hereby accepted and dedicated as public rights-of-way as sidewalks.

2. The acceptance of this dedication shall be subject to the following terms and conditions:

Upon delivery of a deed of easement to the City pursuant to the terms hereof, COA shall provide the City with a one (1) year maintenance bond for the sidewalks and improvements. During the one (1) year period following the delivery of the deed, COA shall promptly correct any deficiencies in workmanship and design which threaten the structural integrity of the sidewalks and improvements or create a risk to public safety, upon receiving written notice of such deficiencies from the Municipal Engineer. At the end of the one (1) year period, the City shall be responsible for the structural maintenance of the sidewalks and improvements which are the subject of this dedication.

3. After the completion of all improvements required by Planning Board Resolution P15-028 dated June 9, 2015 and as amended by Planning Board Resolutions P15-028.1 dated January 12, 2016 and P15-028.001 dated January 24, 2017 and approval of the Improvements by the Municipal Engineer, the Mayor or the Business Administrator is hereby authorized:
- (a) subject to review and approval by the City's Corporation Counsel of a title report provided by COA, accept delivery of and record a deed of easement from COA conveying the dedicated lands and improvements; and
 - (b) subject to review and approval by the Municipal Engineer, accept all easements described in paragraph 4 below; and
 - (c) subject to review and approval by the City's Corporation Counsel, execute all documents necessary to accomplish the dedication of the aforementioned lands.
4. This dedication shall be subject to all easements affecting the Property recorded in the Office of the Hudson County register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines including cable television wires and poles, together with the right of ingress and egress at all times for such purposes and all other purposes in connection or in any way relating to an entity's use or operation of water, sewer or utility lines.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect in the manner as prescribed by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined words in ~~{brackets}~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

RR
6-5-17

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE ACCEPTING FROM COA 99 HUDSON, LLC,
A DEDICATION OF CERTAIN SIDEWALKS AND UTILITIES
WITHIN THE HUDSON STREET, YORK STREET, AND GRAND
STREET RIGHTS OF WAY**

Initiator

Department/Division	HEDC	City Planning
Name/Title	Annisia Cialone	Director
Phone/email	547-5050	acialone@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

COA 99 Hudson, LLC ("COA"), is the owner of 99 Hudson Street also referred to as Block 14507, Lot 1 on the City's tax maps ("Property"). COA received Planning Board approval for the construction of a new 79 story mixed used building ("Development"). In connection with the Development, COA is obligated by the Colgate Redevelopment Plan to dedicate a portion of its Property to the Hudson Street, York Street, and Grand Street rights-of-way as public sidewalks. The City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of land and appurtenances for public purposes.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Exhibit A

August 08, 2016

Job No. 10147-17

SIDEWALK EASEMENT AREA DESCRIPTION B-2

on Block 14507, Lot 1
City of Jersey City
Hudson County, New Jersey

BEGINNING at a point which is the intersection of the southerly line of York Street (80 feet wide) and the easterly line of Greene Street (80 feet wide) and running; thence

1. Along the southerly line of York Street (80 feet wide), South 81 degrees 47 minutes 01 seconds East, 380.00 feet to a point where it is intersected by the proposed westerly line of Hudson Street (90 feet wide); thence
2. Along the proposed westerly line of Hudson Street (90 feet wide), South 08 degrees 12 minutes 59 seconds West, 200.42 feet to a point where it is intersected by the northerly line of Grand Street (80 feet wide); thence;
3. Along the northerly line of Grand Street (80 feet wide), North 81 degrees 47 minutes 01 seconds West, 311.78 feet to a point; thence the following six (6) courses into and through Block 14507, Lot 1:
4. North 08 degrees 12 minutes 59 seconds East, 1.50 feet to a point; thence;
5. South 81 degrees 47 minutes 01 seconds East, 286.38 feet to a point; thence;
6. North 53 degrees 12 minutes 59 seconds East, 16.00 feet to a point; thence
7. North 81 degrees 12 minutes 59 seconds East, 171.29 feet to a point; thence
8. North 36 degrees 47 minutes 01 seconds West, 16.00 feet to a point; thence
9. North 81 degrees 47 minutes 01 seconds West, 334.60 feet to a point in the easterly line of Greene Street (80 feet wide); thence
10. Along the easterly line of Greene Street (80 feet wide), North 08 degrees 12 minutes 59 seconds East, 5.00 feet to the point or place of BEGINNING.

Containing 5,127 sq. ft. or 0.118 acres

This description was prepared in accordance with a map entitled "Sidewalk Easement Area Exhibit B-1, 99 Hudson Street, Block 14507, Lot 1, City of Jersey City, Hudson County, New Jersey" dated August 08, 2016, prepared by Dresdner Robin, Hanson Engineering Division, Job No. 10147-17.



Greg S. Gloor
Professional Land Surveyor
New Jersey License No. 37189



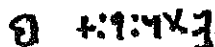
DRESDNER ROBIN
Engineering • Surveying • Planning • Construction Services
Jersey City
Corporate Office
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Jersey City, NJ 07302-3085
PHONE: 201-217-9200
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Pennsauken, NJ 08109
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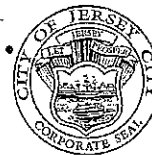
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Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-083
TITLE: 3.L JUN 14 2017 4.K

JUN 28 2017

Ordinance accepting from COA 99 Hudson, LLC a dedication of certain sidewalks within the Hudson Street, York Street and Grand Street rights of way.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>WATTERMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
GADSDEN	<u>ABSENT</u>			OSBORNE	<u>ABSENT</u>			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	<u>ABSENT</u>		

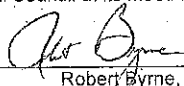
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 14 2017**


Adopted on second and final reading after hearing on **JUN 28 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUN 28 2017**



Robert Byrne, City Clerk

*Amendment(s):

APPROVED:


Rolando R. Lavarro, Jr., Council President
Date **JUN 28 2017**

APPROVED:


Steven M. Fulop, Mayor

Date **JUN 30 2017**

Date to Mayor **JUN 29 2017**

City Clerk File No. _____ Ord. 17-081
Agenda No. _____ 3. J _____ 1st Reading
Agenda No. _____ 4. I. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-081

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
THE ROUTE 440-CULVER EXTENSION STUDY AREA INTO THE ROUTE 440-CULVER
REDEVELOPMENT PLAN**

WHEREAS, pursuant to *NJSA 40A:12A-4.a.(3)*, the governing body is empowered to adopt a redevelopment plan to regulate development within an area declared in need of rehabilitation and/or redevelopment; and

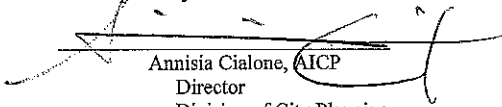
WHEREAS, the Planning Board of Jersey City, at a public hearing held on May 30, 2017, reviewed and the proposed amended Route 440-Culver Redevelopment Plan that would now include 181-191 Culver Avenue and unanimously voted to recommend that the Municipal Council adopt the extension into the Route 440-Culver Redevelopment Plan; and

WHEREAS, the proposed Route 440-Culver Redevelopment Plan, attached hereto and made a part hereof, is available for public inspection in the Office of the City Clerk, City Hall, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the above referenced route 440-Culver Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Annisia Cialone, AICP
Director
Division of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐
Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING THE ROUTE 440-CULVER EXTENSION STUDY AREA INTO THE ROUTE 440-CULVER REDEVELOPMENT PLAN

Initiator

Department/Division	HEDC	City Planning
Name/Title	Annisia Cialone, AICP	Director
Name/Title	Tanya R. Marione, PP, AICP	Principal Planner
Phone/email	201-547-5010	tanyam@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The Planning Board voted unanimously to include the newly designated site at 181-191 Culver Avenue into the Route 440- Culver Avenue RDP. That site is proposed to be zoned as "Mid-Rise A," and there are no changes that are proposed to that zone or any zone within the plan as it exists.

Changes were only made to update the maps.

I certify that all the facts presented herein are accurate.


Signature of Department Director

6/2/17
Date

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: May 19, 2017
TO: Board of Adjustment Commissioners
FROM: Tanya R. Marione, AICP, PP, Principal Planner
SUBJECT: AMENDED ROUTE 440-CULVER RDP

Attached for your review and recommendation is the proposed amended Route 440-Culver Redevelopment Plan that incorporates 181-191 Culver Avenue.

Because no substantive changes are being made, I would like to call to the Board's attention the Maps and Section VIII.C. "Mid Rise-A District" on page 18 of the RDP.

Planning is recommending that the two new lots, Lots 8 and 9 of Block 22102, aka 181-191 Culver Avenue be zoned as "Mid Rise-A District"

ROUTE 440 - CULVER

REDEVELOPMENT PLAN

Adopted March 13, 2013 by Ordinance #13-029
of the Jersey City Municipal Council

MAP REVISIONS PLANNING BOARD REVIEW MAY 30, 2017

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I. INTRODUCTION

The Route 440-Culver Redevelopment Plan (the Plan) will regulate development within the Route 440-Culver Redevelopment Area (the Redevelopment Area or Area). In accordance with the determination by the Jersey City Municipal Council (add Resolution # and date), pursuant to the recommendations in the Study Report, a portion of the Area will be designated an Area in Need of Rehabilitation pursuant to N.J.S.A.40A:12A-14, while the greater portion will be designated an Area in Need of Redevelopment pursuant to N.J.S.A.40A:12A-5.

The Redevelopment Area is located in the southwestern portion of Jersey City, and consists of two distinct sections. The larger section is essentially bounded by the NJCU West Campus Redevelopment Area to the south, the West Side Avenue Redevelopment Area to the east, the Water Street Redevelopment Area to the north, and the Marine Industrial and a portion of the Bayfront I Redevelopment Areas as well as a portion of the Waterfront Planned Development zoning district to the west. The smaller section consists of a substantial portion of a single large block bounded on the east by the West Side Avenue Neighborhood Commercial Zoning District, on the north by the R-1 One and Two Family Zoning District, and on the west and south by the Water Street Redevelopment Plan area, which separates the two sections of the Study Area. (See Map 1 – Location Map)

Due to the development of an extensive rail system in the mid to late 1800's that connected the west side of Jersey City to the eastern docks, the Redevelopment Area as well as much of the land abutting it, developed as an industrial area interspersed with some residential uses housing middle to low income employees. These industrial uses contributed significantly to the economic vitality of the City, providing jobs and tax ratables through the early part of the 20th Century. Several of these industrial uses continue to exist today interspersed with a small scattering of remaining residential lots.

Around the middle of the 20th Century, the character of the Area began to change. As transportation shifted toward increased automobile reliance, Route 440 began to develop as a highway commercial corridor, and some of the industrial uses within the Area were replaced by commercial uses, such as automobile dealerships, particularly along Route 440. In addition, there remained a scattering of residential uses within the Area that have continued to the present, with a slightly higher concentration in the eastern portion, closer to West Side Avenue.

In April 2000, the City adopted a new Master Plan that recognized the Redevelopment Area, as well as the abutting areas to the north, east and south as "in transition and...characterized by declining manufacturing uses, highway-oriented commercial development and vacant or underutilized former industrial auto-related property." In keeping with this analysis, the Master Plan recommended eliminating the former "Industrial" zoning designation as obsolete and instead encouraging continued retail/commercial development along with improvements to the "function and appearance of Route 440...and...extensive urban design, buffering and screening, pedestrian circulation..." and the protection of "...adjacent residential neighborhoods."

Meanwhile, in 2000, the Municipal Council adopted the Water Street Redevelopment Plan that calls for a mix of townhomes and residential mid-rise development; the NJCU West Campus Redevelopment Plan in February 2005 that calls for a mix of academic, residential and

commercial development primarily in mixed-use buildings; the West Side Avenue Redevelopment Plan in March 2005 that calls for predominantly mixed use retail/commercial and residential development; and the Bayfront I Redevelopment Plan in May 2008 – all on the periphery of the Route 440 – Culver Area. Furthermore, in April 2009, a new Circulation Element of the Master Plan was adopted that recommended the redesign of Route 440 from a solely auto and truck oriented highway to a boulevard that would incorporate substantial pedestrian, mass transit and recreational accommodations. A study recommending a final concept design for the Route 440 Boulevard and another study by NJ Transit recommending extension of the Hudson Bergen Light Rail (HBLR) through the Redevelopment Area and across Route 440 were both recently completed. Pursuant to the recommendations of those studies, Ordinance #11-094 establishing setback requirements for all property abutting or in close proximity to Route 440 was adopted on August 31, 2011, and the HBLR extension project is currently moving forward.

Based on the findings of the Study Report, clearly, industrial development is no longer appropriate for the Redevelopment Area. Moreover, in light of substantial residential and mixed use redevelopment that has resulted from adoption of the above-listed redevelopment plans, the new Circulation Element, and the recommendations of the two referenced roadway and rail improvement studies, development of the Area solely as a highway commercial corridor is also no longer appropriate. Instead, new zoning standards need to be adopted that advance the Master Plan recommendations by encouraging continued retail/commercial development along Route 440 while furthering improvements to its function and appearance, providing for “extensive urban design,” increased pedestrian circulation and connectivity with light rail transit stations, and protection of adjacent residential neighborhoods.

The boundaries of the Redevelopment Area were selected to facilitate the elimination of blighting conditions at the fringes of the several surrounding redevelopment plans, two of which also abut Route 440, while continuing to exclude and protect a little over one block of continuous stable residential development between Fisk Street and Culver Avenue that abuts the western side of the West Side Avenue Redevelopment Area.

II. BOUNDARIES

The Route 440 - Culver Study Area comprises 30.5 acres consisting of various tax lots currently found on seven (7) different tax blocks (formerly eleven (11) tax blocks prior to January 1, 2012) within the City of Jersey City. The Block and Lot numbers are as follows:

New Block as of January 1, 2012/ Former Block	New Lot as of January 1 2012/Former Lot
22103/ 1287.A	12/12, 20/7
22103/ 1293	1/55
22003/ 1287.A	16/2.C
22003/ 1292	10/1.E, 9/45, 8/46, 5/49, 4/50, 11/55, 3/56
22001/ 1291	4/76
22001/ 1292.1	2/4
22002/ 1295	27/1.99, 28/66, 29/67, 1/28.99, 19/68

21701/ 1296	18/18, 19/F9.99, 20/15, 17/19, 23/17
21701/ 1296.5	15/10
22101/ 1297	5/52, 4/44.99, 3/43, 2/42, 1/72, 23/22.99, 24/27, 25/28, 26/29, 27/30, 28/31.99, 29/34, 30/35, 31/36, 32/37, 33/38.A, 34/39.A, 11/M.1
21701/1775.1	1/A.1, 24/11.P, 25/78, 14/83, 13/96
21801/ 1774	12/79, 11/78, 10/77, 9/76, 5/57, 4/54, 3/53, 2/85, 19/35, 18/34, 17/33, 16/29, 8/PL.A, 15/11, 14/10
22102	8 AND 9 – ADDED TO PLAN MAY 30, 2017

The boundary of the Redevelopment Area is also depicted on Map #2 – Boundary Map. Because Block and Lot numbers may change from time to time due to subdivisions, lot consolidations or renumbering, the Boundary Map located in this report shall prevail in the case of discrepancies between the Map and the Block and Lot list above.

III. REDEVELOPMENT OBJECTIVES

- A. To redevelop the Route 440 - Culver Redevelopment Area in a manner that is compatible with permitted development in adjacent redevelopment areas and consistent with the design plan for the Route 440 Boulevard.
- B. To recognize the significant opportunities for residential and commercial redevelopment afforded by the Area's proximity to the West Side Avenue Light Rail Station and the anticipated Route 440 Boulevard.
- C. To preserve abandoned rail right-of-way within the Area for the anticipated extension of the Hudson Bergen Light Rail allowing it to connect to the west side of Route 440.
- D. To preserve land for the expansion of the Route 440 public right-of-way consistent with the design plan for the Route 440 Boulevard.
- E. To recognize the existing pattern of permitted highway commercial development along Route 440 while enabling its redevelopment in a manner consistent with both the design plan for the Route 440 Boulevard and adjacent redevelopment areas.
- F. To provide enhanced pedestrian and vehicular connections to the anticipated Route 440 Boulevard and to the existing and proposed Hudson Bergen Light Rail stations.
- G. To create new public rights-of-way within the Redevelopment Area that will improve vehicular and pedestrian circulation within the Area; preserve and extend the existing city street grid; and facilitate the development of alternate, locally accessible, vehicular north/south connections between Carbon Place and Claremont Avenue consistent with the vehicular traffic analysis for the Route 440 Boulevard Study.
- H. To enhance the pedestrian environment and general appearance of all existing and proposed roadways within the Area.

- I. To provide enhanced opportunities for bicycle circulation, parking and storage within the Area in accordance with the Circulation Element of the Jersey City Master Plan.
- J. To provide for the orderly phased conversion of vacant land and antiquated industrial land uses and buildings within the Redevelopment Area to a modern, integrated, mixed-use community.
- K. To eliminate substandard, obsolete and/or dilapidated structures and remove blighting influences.
- L. To promote sustainable development and smart growth planning principles by encouraging the development of a variety of housing choices, sustainable building and site design, pedestrian friendly streets, enhanced access to mass transit and neighborhood shopping facilities, shared parking solutions and a reduction in automobile dependency.

IV. PROPOSED REDEVELOPMENT ACTIONS

It is proposed to substantially improve and upgrade the Route 440 - Culver Redevelopment Area through a combination of redevelopment actions that will provide a uniform and consistent attack on blight within the Area by systematically removing blighting influences in an orderly manner, starting with vacant land and those structures and properties most deleterious to the Area.

- A. The acquisition, consolidation and re-subdivision of land within the Redevelopment Area into suitable parcels for development for the new anticipated land uses.
- B. Demolition of structures determined to be impediments to sound and comprehensive redevelopment.
- C. Provision for a full range of public infrastructure necessary to service and support the new development in the Redevelopment Area.
- D. Construction of new structures and complimentary facilities that are consistent with the recommendations of the Master Plan and this Redevelopment Plan, and which provide for a broad range of commercial, residential and service uses.
- E. Reservation of land for construction of new rail, vehicular, and pedestrian rights-of-way.

V. GENERAL ADMINISTRATIVE PROVISIONS

The following provisions shall apply to all property located within the Route 440-Culver Redevelopment Area:

- A. Consistent with 40A:12A-7c., this Redevelopment Plan shall supersede all provisions of the Jersey City Land Development Ordinance, Chapter 345 of the City of Jersey City, except 345-6 Definitions, where applicable; 345-12 thru 31 Application Requirements,

Development Procedures and Checklists; 345-32, 33 Fees; 345-60.2 Required setbacks... (pertaining to Route 440); 345-74 Stormwater control; 345-75 Performance and Maintenance Guarantees; and 345-76, 77 Enforcement, Violations, and Penalties.

- B. All development within the Redevelopment Area shall be consistent with the guidelines, standards, and requirements of this Plan, and Map #5, the Zone Map, contained herein.
- C. The regulations and controls in this section may be implemented, where applicable, by appropriate covenants, or other provisions, or through agreements for land disposition and conveyances executed thereto.
- D. No building or structure shall be constructed within any public right-of-way without Site Plan approval by the Planning Board and a Franchise Ordinance adopted by the Municipal Council authorizing such construction. No building or structure shall be constructed in the bed of a mapped street unless such street has been vacated by an act of the Municipal Council and the Site Plan has been approved by the Planning Board.
- E. No Building Permit shall be issued for any new construction, reconstruction, or rehabilitation work within the Area that meets the threshold under Chapter 345-16.C (Site Plan Review within Redevelopment Plan Areas) without prior review and approval of such work by the Planning Board. An Application for Development and a site plan for any such project that meets the threshold shall comply with all procedural requirements of Chapter 345, Article III, and shall be submitted by the developer or property owner to the Division of City Planning for review, so that compliance of such plans with this Redevelopment Plan can be determined.
- F. The provisions of this plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the original date of approval of this Plan by the City of Jersey City Municipal Council. Subsequent amendments hereto shall not alter or extend this period of duration, unless specifically extended by such amendments.
- G. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et.seq.
- H. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with this Plan's requirements and the requirements pertaining to subdivision contained in the Jersey City Land Development Ordinance.
- I. The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely effecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant a deviation from the regulations contained within this Redevelopment Plan related to a specific piece of property where the purposes of this Redevelopment Plan would

be advanced by such deviation from the strict application of the requirements of this Plan, and the benefits of granting the deviation would outweigh any detriments.

- J. The Planning Board may grant exceptions or waivers from specific design standards, or from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within this Plan, if the literal enforcement of one or more provisions of the plan is impracticable, or would exact undue hardship because of peculiar conditions pertaining to the site.
- K. No deviations shall be granted that will result in permitting or expanding a use that is not a permitted use within this Redevelopment Plan, an increase in the maximum height of ten (10%) percent or greater, or an increase in the density over that permitted within this Redevelopment Plan. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in NJSA 40:55D-12.a & b.
- L. No deviations shall be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.
- M. If any word, phrase, clause, section or provision of this Plan shall be found by a court of competent jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, clause, section or provision shall be deemed severable and the remainder of the ordinance shall remain in full force and effect.

VI. GENERAL LAND USE REQUIREMENTS AND RESTRICTIONS

The following standards and requirements shall apply to all zones, except where otherwise noted:

- A. No junked motor vehicles or parts thereof shall be permitted to be stored on any lot within the Area. Outdoor parking of vehicles that are inoperable or unregistered, unless part of a licensed car sales business, shall be prohibited.
- B. All utility distribution lines and service connections from such lines to the project area's individual uses shall be located underground. Any transformers associated with development within the Area shall be located underground or within the building. Remote readers for all utilities are preferred in lieu of external location of actual metering devices. Developers are required to arrange for connections to public and private utilities and shall notify planning staff of such arrangements prior to installation to ensure compliance with this plan.
- C. Chain link fencing is prohibited along all street frontages within the Area, except during construction. Chain link fencing for construction shall be dismantled and removed prior to the issuance of a Certificate of Occupancy.
- D. The use of razor wire, barbed wire or other similar material is expressly prohibited within the Redevelopment Area.

- E. The commercial storage, processing, separation, and/or transfer of garbage or waste materials shall be prohibited.
- F. No billboard shall be permitted on any property contained within the Redevelopment Area.
- G. No advertising shall be permitted on parking meters, light poles or on benches or other street furniture within the public right-of-way.
- H. Rooftop signs as well as any signs that include flashing, blinking, or otherwise animated lights and/or parts, spinners, pennants, reflective materials that sparkle or twinkle and/or similar materials are expressly prohibited, except for seasonal holiday decorations.
- I. All trash receptacles shall be located within buildings or parking areas, and shall be adequately screened, enclosed and secured, even from above where deemed applicable by the Planning Board.
- J. All mechanical equipment, generators, HVAC equipment and similar equipment shall be visually screened so as not to be visible from adjacent buildings, yards, or public areas, and rooftop equipment shall be adequately screened from all vantage points, even from above where deemed applicable. Said screening shall be constructed in a manner that is consistent with the architecture of the building, and shall utilize the same or complimentary materials used in construction of the building such that the screening appears to be an integral part of the building. Interior locations shall be utilized where mechanically possible. Additionally, such equipment shall be acoustically buffered such that any noise generated by the equipment shall not exceed the residential noise standard as defined by the State of NJ.
- K. Ventilation equipment required for commercial uses shall be vented through the roof of the building and screened in compliance with paragraph J above. Exposed ventilation pipes and risers are prohibited. Should ventilation grillwork be necessary to a storefront façade system, such grillwork shall encompass no more than 10% of the total possible storefront glazing area.
- K. No use or reuse shall be permitted, which produces toxic or noxious fumes, hazardous discharges, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features that are detrimental to the public health, safety or general welfare, or that are damaging to the physical environment.
- L. Any new streets, improvements to existing streets, infrastructure and/or streetscape elements required on a particular block by the Plan shall be constructed concurrently with the development of any project or building at least to the extent of the entire project frontage where it abuts an existing or proposed street. Construction of a new street and/or improvements to an existing street may be required for the entire length of one or more blocks regardless of the extent of the project frontage if such improvements are deemed necessary by the Planning Board for circulation and/or access purposes related to the project. The above provisions contained in this paragraph **shall not apply** to projects pertaining to existing uses owned and operated by existing or future automotive dealerships (includes automotive showrooms and sales or leasing offices, inventory storage lots and/or automotive servicing centers where they are permitted principal and/or accessory uses under VIII.D

and/or E. of this Plan) unless the existing use of the auto dealership property is changed to a different use otherwise authorized under this Redevelopment Plan.

- M. Upon demolition of any existing structures, the site shall be graded, planted, sodded, paved and/or developed in accordance with this Plan.

VII. URBAN DESIGN REQUIREMENTS (Not applicable to renovation, rehabilitation, or new construction of 1-, 2-, or 3-family detached houses permitted under VIII.C.1.a.)

The following requirements shall apply to all zones, except as otherwise noted:

A. General Building Design Requirements

1. The location of all structures within the project area shall take into account the proper relationship to other buildings, both existing and proposed, in terms of light, air and usable open space, access to public rights-of-way and off-street parking, height and bulk.
2. All buildings shall front upon a public street, and shall be oriented toward the street so as to contribute to the overall liveliness of the pedestrian environment. The lower level of all buildings shall be designed at a scale appropriate to the pedestrian environment, and each building shall have a clearly identifiable primary entrance facing the street.
3. Front yard parking and/or parking within a side yard facing the street on a corner lot is prohibited within the Redevelopment Area.
4. All outdoor storage is prohibited, and any storage area that may be required and/or proposed shall be contained within the principal structure.
5. At least 75% of any storefront façade shall be glass, and windows and glazing for ground floor commercial uses shall provide views into the store and display areas.
6. Windows in residential portions of a building shall be arranged such that the vertical dimension, or height, is greater than the horizontal dimension, or width. However, bay windows, bow windows, or other multi-panel window features may also be incorporated into the façade to provide architectural interest and character, provided that the overall verticality of the structure is not adversely affected.
7. Balconies and terraces may extend from the building when facing into interior courts and/or rear yards. However, balconies facing onto streets shall not project more than eighteen (18) inches from the building face.
8. All corner buildings shall have windows on both street frontages, and the secondary building façade shall be decoratively appointed to mimic the primary façade, incorporating such special detail/features as bay windows, French balconies, and/or other such features as are found acceptable by the Planning Board.
9. The window sill of any residential window shall either be at least five (5) feet above the elevation of the adjoining sidewalk, or shall be set back at least five (5) feet from the

property line and protected by a fence and/or landscape bed in order to provide adequate visual screening, subject to review and approval of the Planning Board.

10. Facade treatments, materials, colors and architectural treatments shall be of the highest quality and compatible with the building's architectural style. Use of concrete block and vinyl exterior finishes are prohibited, and use of EIFS is prohibited as a water table and/or building base finish. EIFS may be used on upper floors, but only as trim not to exceed 5% of the total surface area of any façade.
11. All building facades fronting on a street shall have some variation in texture and plane. Pursuant to this requirement and at the discretion of the Planning Board, at least a ten percent (10%) variation in materials and colors is encouraged, and at least twenty percent (20%) of each façade should either project or be recessed a minimum of 18 inches from adjacent façade elements through the use of bays, oriels, balconies, reveals, belt coursings, and/or other decorative elements.
12. Buildings, or groups of buildings, may vary in architectural style provided that they shall be designed to present a harmonious appearance in terms of their setting in the built environment and shall have an attractive, finished appearance when viewed from all vantage points.
13. All rooftop mechanical equipment, satellite dishes, and cell phone, television and radio antennas shall be screened from all directions and elevations, on existing and new structures, to the extent feasible, to minimize the negative aesthetic impact as viewed from all properties and structures in neighboring residential zones and from street level. Creative placement of said equipment is strongly encouraged in order to minimize the need for screening. However, where screening is deemed necessary by the Planning Board, screening materials shall be identical or harmonious with those used in the building's façade, and such screening shall be pleasing to the eye and consistent with the surrounding architecture as well as the architecture of the building.

B. Sustainable Design Requirements

1. All buildings or principal structures to be developed within the area shall demonstrate 20% improvement in energy efficiency of the building envelope, with respect to duct work insulation for mechanical systems, over ASHRAE 90.1 2007 or the most recently adopted energy standards by NJ Department of Energy.
2. All new construction shall utilize only Energy Star rated appliances or better.
3. In addition to the above, all buildings, structures and/or sites to be developed within the area shall incorporate at least **five (5)** of the following sustainable design features:
 - a. Sustainable roof top: may be Green roof, Blue roof, Solar panel roof, or a combination of at least 50% either Green, or Solar, with White/Cool roof remainder
 - b. Common/shared roof top gardening area with raised beds for growing vegetables
 - c. On-site common roof-top recreation space
 - d. Reservation of parking spaces for the hourly rental of cars (such as Zip Cars, Hertz on Demand, or comparable service)

- e. Electric car charging station(s)
- e. Gray water recycling
- f. Use of at least 50% recycled and/or locally produced construction materials (within 500 miles)
- g. Energy Star rating of 75 or higher for entire building
- h. Installation of geo-thermal (heating/cooling) systems
- i. Use of rain gardens and/or swales in surface landscaping design

C. Parking Structure Design Requirements

1. All parking levels shall be screened or masked in some way from all public rights-of-way so as not to give the apparent perception of garage space.
2. Along Route 440 frontage, a combination of retail, restaurant and/or permitted commercial use, lobby areas, as well as commercial or residential use above the ground floor shall be utilized between all levels of the parking use and the right-of way to mask the parking. Along all other rights of way, ground floor and/or basement level parking shall be masked by lobby areas along with retail, restaurant or other commercial uses where such uses are permitted and utilized, and upper floor parking levels shall be designed as follows in #3.
3. Parking levels that are not entirely masked by other building uses, as covered above, shall be articulated in a manner providing visual interest and utilizing an architectural treatment and materials consistent with the architecture utilized for the principal use of building. Where only residential uses are permitted, or where permitted commercial uses are neither required nor utilized, ground floor and/or basement level parking shall be masked, to the extent feasible, by lobby areas, and where not masked by other uses, all parking level facades shall be disguised by artificial windows of the punched out style utilizing glass and/or decorative grillwork containing the same detailing, design and window frame color as the windows utilized on non-parking levels of the building. The artificial windows must mimic the style and proportions of the windows on non-parking levels of the building so that parking levels have the appearance of habitable floors. Compatible architectural treatments such as sub-cornices, lintels, and other decorative design features shall also be utilized to provide architectural interest and variety.
4. The design of parking levels within any building shall emphasize a vertical exterior façade pattern instead of the horizontal cladding associated with parking garages and their structural members.
5. Individual garage lighting sources shall not be visible from the exterior. Interior garage lighting shall utilize fixtures that will maintain a soft illumination of the interior garage space and will thereby not readily expose the lighting source and garage interior to view from the public right-of-way outside. An internal lighting plan prepared by a lighting professional shall be included with any garage application for review and approval.
6. Garage doors, designed to reflect the architecture of the building, shall be provided at the ingress and egress to the parking garage of any development. Open metal/mesh grates are

prohibited. Garage doors shall be kept to the minimum height and width possible so as to limit their visual impact on the streetscape and the façade of the building.

7. The above design requirements are intended primarily for new residential and/or mixed-use development, or conversions to same (i.e. adaptive reuse), and shall not apply to a new parking structure associated with an automobile dealership provided that said parking structure does not consist of more than a single story.

D. Circulation and Creation of New Rights-of-Way

1. The creation of new blocks and rights-of way within the Area, as shown on the Rail and Street Network Plan (Map 3), is required pursuant to the following provisions in order to facilitate vehicular, bicycle and pedestrian circulation within the Area, improve access to mass transit, extend the existing street grid to create linkages to surrounding areas, reduce the need for off-street parking by the creating new on-street parking opportunities along new blockfronts, and facilitate implementation of the Route 440 Boulevard Design plan. (See Section VIII.B.3 Bonus Provision for Creation of New Rights-of-Way). Exempted from this requirement are principal and accessory uses pertaining to auto dealerships, where permitted, provided that such properties continue in auto dealership use.
2. In addition to the above, any application for development of Block 21701/(fka)1775.1 shall include the reservation of land within existing Lot 14/83 for additional right-of-way for the extension of the Hudson Bergen Light Rail (HBLR). The extent of the land area to be reserved shall be defined by the area measured fifty-six (56) feet north from the southern lot line of Lot 83 as shown on the Rail and Street Network Plan.
3. All property within this Redevelopment Area that abuts or is in close proximity to Route 440 shall be developed in a manner that adheres to the setback requirements adopted 8-31-2011 by Ordinance #11-094 of the City of Jersey City.
4. The dimensions of all proposed blocks and rights-of-way lines defined on the Rail and Street Network Plan shall be considered approximate at the time of adoption of the Redevelopment Plan and shall be refined and finalized by an engineering survey to be performed by the developer prior to actual construction.
5. Sidewalks are required on both sides of all streets and shall be appropriately sized for the safe and convenient movement of pedestrians through and around the Redevelopment Area as follows:

Street	Total sidewalk width	Unobstructed	Planter/tree pit
Mallory & Culver Aves.	15 feet	10 feet	5 x 5
Claremont Avenue	Match existing sidewalk in Water Street Redevelopment Area	Match existing	Match existing

Route 440	In accordance with Route 440 Boulevard Design Plan	See Rte 440 Design Plan	See Route 440 Design Plan
All other streets	9-10 feet	6 feet	3x5 or 4x4 feet

E. Off-street Parking and Loading Design Requirements

1. All required parking spaces shall be a minimum of 9 feet wide by 18 feet deep, except that up to 30% of required parking spaces may be compact spaces, a minimum of 8 feet wide by 16 feet deep. Where perimeter landscaping, or a pedestrian walkway, or an additional row of parking abuts a row of parking spaces, the placement of a curb or wheel stop up to two (2) feet within the required 18 foot depth of the parking space may be required by the Planning Board to ensure that parked vehicles will not infringe on required landscaping, pedestrian areas or adjacent parking spaces. All parking aisles shall be a minimum of 22 feet wide.
2. Required off-street parking may be located on the same lot as the use which the parking is intended to serve, or may be provided on another site within the Redevelopment Area provided that the parking use is not the sole use of the lot.
3. Short term bicycle parking shall be provided along the sidewalk in front of all commercial development at a ratio of one bike parking station accommodating at least two bicycles for every 25 linear feet of frontage. In addition, bicycle storage shall be required for development on all lots greater than 2,500 square feet, or residential projects of more than four dwelling units at a ratio of one bicycle space per 5,000 square feet of non-residential use, and one bicycle space for every two residential units.
4. All bicycle storage areas shall be located so as to be convenient and accessible to the front entry of the building with no more than four vertical steps between the bicycle storage area and the sidewalk (ramps may be utilized). Required bicycle storage spaces may be provided with wall-mounted racks along accessory garage walls, an interior bicycle storage room, or any combination of the afore-mentioned.
5. Developers shall demonstrate that sufficient off-street loading will be provided to meet the needs of the proposed use. Loading operations shall be conducted so as to minimize conflicts with traffic circulation.
6. Access to all off-street parking and loading areas shall be clearly designated and arranged so as to avoid the backing in and out of vehicles onto the street right-of-way to the greatest extent practical, and to limit conflicts with pedestrian areas.
7. On-street loading shall be limited to light deliveries that support the day-to-day functioning of the use with which they are associated. No more than one on-street loading zone of 30ft is permitted along any single blockfront.

F. Landscape, Streetscape, Lighting

1. All new projects shall include a Landscape Plan for the subject site, and a Streetscape Plan for the sidewalk areas adjoining the site.
2. Landscaping, 90% of which shall consist of soil planted with vegetative material, is required for any part of a development parcel not specifically designated to be used for buildings, off-street parking and/or loading spaces, walkways, or other similar purposes requiring impervious surface.
3. The Landscape Plan shall include details and specifications indicating types of paving materials, plant materials, lighting, tree grates, screening materials and other decorative on-site features. All proposed site plans shall include a planting schedule, prepared by a Certified Landscape Architect, indicating location, size and quantity of the various species to be used, and shall additionally take into account site-specific water table and other soil conditions.
4. The Streetscape Plan shall include all sidewalk materials, colors and specifications as well as details and specifications for all other amenities such as landscaping, tree guards and/or grates, benches, trash receptacles, lighting and/or other decorative street furniture, including sidewalk café appurtenances. In particular, the streetscape plan for projects fronting along Route 440 shall include all design elements contained in the adopted Route 440 Boulevard Plan and shall conform to the dimensional requirements of the adopted Boulevard Plan for each element.
5. All sidewalk areas shall be durably paved, and access across a sidewalk to a driveway, garage, parking alley, or common parking area shall be via a “dropped” curb and sloped apron in conformance with Municipal engineering standards. Porous paving materials are encouraged along the curb line between street tree beds.
6. All plant material used shall be suitable to the urban environment and a long-term landscape maintenance schedule shall be provided indicating how the plant materials are to be cared for and maintained, including method of irrigation, fertilizing, pruning, etc., and a plan for replacement of any plants that do not survive at least two planting seasons. Sustainable vegetation requiring the least water maintenance feasible shall be encouraged.
7. Street trees shall be required for all new development, redevelopment, or rehabilitation within the Redevelopment Area. Trees shall be planted along curb lines of streets to enhance the aesthetic quality of the pedestrian environment in the Area. Trees appropriate to the urban environment shall be planted at a minimum of twenty-two feet and a maximum of thirty-five feet apart on center depending on the typical mature spread of the selected tree variety.
8. Roof top planting is encouraged (see also VII.B Sustainable Design Requirements).
9. Surface parking lots for 5 or more vehicles shall provide a perimeter screen planting area at least 4 feet in width along any street line and along any property line abutting a yard

area. Parking lot screen planting shall consist primarily of dense evergreen material that may be interspersed with a few decorative, flowering trees. The height of the mature screen planting shall be sufficient to accomplish the intended screening purpose. All perimeter planting areas shall be curbed to prevent erosion, but may allow periodic breaks for rainwater infiltration, if applicable. Perimeter planting areas shall be enclosed with decorative, metal, picket style fencing a minimum of 4 feet and a maximum of 6 feet in height. In lieu of a planting bed, curb and fence enclosure at grade, a brick planter box with a stone cap may be constructed not less than 18 inches nor more than 3 feet in height, and fencing shall be installed at the outer edge of the planter box so that the total height of the bed and fence equals no less than 4 feet nor more than 6 feet in height.

10. Screen planting for purposes other than parking lot screening shall consist of evergreen material that is 4 to 6 feet in height at the time of planting, and is guaranteed to achieve a mature height and spread sufficient to obtain an adequate, solid screening effect.
11. Surface parking lots for 20 or more cars shall provide 1 shade tree for every 10 parking spaces in addition to required perimeter screening. Parking lots configured with 3 or more rows of parking shall be designed with a landscape bed at each end of the central row(s) in addition to required perimeter screening and shall also provide 1 shade tree for every 10 parking spaces, interspersed along the spine of the central row(s). Interior lot landscaping shall be designed and maintained at a maximum height of 30 inches so as not to interfere with the sight line of vehicles circulating within the lot.
12. As part of any development with 50 feet or more of street frontage within the Redevelopment Area, new, decorative, pedestrian-friendly street lighting shall be installed at the outer edge of all sidewalks in accordance with a comprehensive decorative design theme. Existing cobra-head lighting oriented toward the street may remain. However, where replacement of cobra-head lighting is necessary, or along any newly constructed rights-of-way, taller decorative lighting fixtures oriented toward the carriage way shall be utilized as part of the lighting plan in lieu of the standard cobra-heads. In no case shall taller, street-oriented lighting be utilized to the exclusion of pedestrian scale lighting. Any such taller street-oriented lighting must be the same color as, and of compatible style with, the pedestrian scale decorative lighting which shall be either upright or oriented toward the pedestrian right-of-way.
13. Lighting within each site and along all street lines of the property shall be sufficient to illuminate all areas and provide for a safe, evenly illuminated environment. However, all lighting fixtures must be properly oriented and screened to prevent light spillage and glare to adjacent properties.
14. On-site lighting fixtures shall be in scale with the size of the project. Bollard type lighting and/or pedestrian scale lighting is encouraged wherever feasible.
15. Only decorative style fences, such as tubular steel, "wrought iron," or other similar type fences, are permitted along street frontages. The design of the fencing shall be in keeping with and appropriate to the architectural style of the building. Fencing along all street frontages shall not exceed forty two (42) inches in height except in the case of an accessory parking area that fronts on a street where up to 6 feet in height is permitted.

G. Open Space Bonus Provisions:

1. Any application for development on Block 21701/(fka Blocks 1296 & 1775.5), or Block 22101/1297, may be accompanied by a plan to also develop Block 1296.5, now Block 21701, Lot 15, and/or that portion of Block 21701/1775.1, lot 14/83 remaining after reservation of land for the HBLR extension and also abutting the Water Street Redevelopment Area, as a public park in accordance with the open space requirements of this Plan found below. In such case, any qualifying development project within the Area shall be permitted to exceed the maximum allowable **floor area** for the applicable district (as provided under Section VIII.B.1 of this Plan) by an amount equal to 1.5 times the development rights associated with the portions of Block 21701, lot 15 (fka Block 1296.5), and/or said remainder of Block 21701/1775.1, lot 14/83 to be reserved for park development.
2. Any application for development on Block 22103/1293, lot 1/ 55 may include a plan to develop a public park on the easternmost "remainder" of the lot, after subdivision and creation of a new right-of-way at the eastern boundary of the lot between Fisk Street and Carbon Place (see VIII.B.3. Bonus Provision for Creation of New Rights-of-Way below). In such case, development of any of the other parcels created by a subdivision of this lot shall be permitted to exceed the maximum allowable **floor area** for the applicable district (as provided under Section VIII.B.1 of this Plan) by an amount equal to 1.5 times the development rights associated with said "remainder." In the alternative, ownership of said remainder, along with the development rights applicable under Section VIII.B.1 below only, may be transferred by sale to the owner of Block 22103/1287.A, Lot 12/12 for inclusion in the development of that parcel provided.
3. Any park created pursuant to the development incentive described in section G.1 above shall be designed with at least 60% vegetative green space, public seating areas and passive recreation space; and may include a children's playground and/or a dog run.
4. In addition to G.1 above, a maximum of 5% of any development site may be dedicated to public open space in the form of plaza, passive recreation area, or children's play area. Any development that creates such public open space shall be allowed to apply the development rights applicable to the area reserved for public open space to the remaining developable area.
5. Once the allowable development rights have been calculated using the above standard, any development project within the Area shall be permitted to exceed the maximum allowable **building height** for the applicable district by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the Open Space Bonus and/or the Bonus Provision for Creation of New Rights-of-Way (as provided under Section VIII.B.3. of this Plan).

VIII. SPECIFIC LAND USE REGULATIONS

A. Intent and Purpose

The purpose of this regulating plan is to promote redevelopment that will result in a vibrant and stable community through the creation of a livable neighborhood, viable commercial uses, a range of housing types, and open spaces arranged in a logical manner responsive to on-site conditions, the light rail station at West Side Avenue, and the future implementation of the Route 440 Boulevard plan. It is the intent of these regulations to also promote redevelopment that will provide an appropriate scale of development and compatible transition of uses between the adjacent redevelopment areas on three sides and the abutting R-1 One and Two Family Zoning District on the remaining side.

B. Intensity of Development

1. Floor Area Ratio (FAR) – gross lot size shall be used to calculate maximum allowable floor area (i.e., prior to subdivision for the creation of new rights-of-way or the widening of existing rights-of-way). Required Floor Area Ratios assume 100% coverage at the ground floor, 65% coverage for floors 2 thru 8, and 55% coverage for floors 9 thru 12. Variations in setbacks that reduce ground floor building coverage by up to 20% (in furtherance of urban design standard VII.A.11) and add the ground floor level reduction to the building mass on other floors are permitted as long as the floor area ratio is maintained and the permitted height is not exceeded. Floor Area Ratios assume 100% coverage at the ground floor, 65% coverage for floors 2 thru 8, and 55% coverage for floors 9 thru 12. In the case of development projects utilizing the Open Space Bonus Provisions found in Section G above, and/or the Bonus Provision for Creation of New Rights-of-Way found in Section B.3 below, Floor Area Ratios shall assume 100% coverage at the ground floor, 85% coverage for floors 2 thru 8, and 75% coverage for floors 9 and above, however, waivers from these assumptions that allow for greater coverage may be considered provided, however, that Building Design Requirements found under VII A. and C. including, but not limited to, variations to the building plane, shall still apply.

Mid Rise-A District - One, two, or three family detached houses: Maximum FAR 2;

All other uses: Maximum FAR 4

Mid Rise-B District - Maximum FAR 5.5

High Rise District - Maximum FAR 7.7

2. Height regulations:

- a. Existing one, two or three family houses in the Mid Rise-A District can be rebuilt, on the specific permitted lots, to a maximum of three or four stories in accordance with the number of stories existing at the time of adoption of this plan and the Max. allowable FAR. All other building types are subject to the minimum and maximum heights specified below.
- b. Except as covered in a. above, all uses and building types, except those uses and building types customarily associated with existing and future auto dealerships where permitted, shall comply with the height requirements shown on the table below (see

High Rise and Mid-Rise District bulk standards for existing showrooms and associated uses under VIII.D.3.e & E.3.c.) with the following exceptions:

1.) In the event that the Open Space Bonus Provision found at Section VII.G.1 and /or the Bonus Provision for Creation of New Rights-of-Way found at Section VIII.B.3 shall apply, the development project may, as-of-right, exceed the maximum allowable height for the applicable district shown in the table below by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the Open Space Bonus Provision and /or the Bonus Provision for Creation of New Rights-of-Way.

2.) Waivers from the building coverage assumptions found in B.1 above shall be considered for any project seeking additional floors to utilize the Open Space Bonus Provision and /or the Bonus Provision for Creation of New Rights-of-Way, provided, however, that Building Design Requirements found under VII A. and C., including, but not limited to, variations to the building plane, shall still apply.

ZONE	Minimum Stories	Maximum Stories	Minimum floor to ceiling	Max. floor to ceiling w/o mezzanine
Mid Rise-A	4 stories	6 stories	Res:* 9 ft.	Res: 11 ft.
			GFC: * 9 ft.	GFC: 12 ft.
Mid Rise-B	5 stories	8 stories	Res: 9 ft.	Res: 12 ft.
			GFC: 9 ft.	GFC: 14 ft.
High Rise	8 stories	12 stories	Res: 9 ft.	Res: 12 ft.
			GFC: 10 ft.	GFC: 15 ft.

*Res = residential; GFC=ground floor commercial

c. Mezzanines –

- 1.) Up to two residential floors of a mid-rise apartment building may include mezzanine levels, provided that mezzanines do not cover more than 33% of the interior space below, and provided that the maximum ceiling height of the mezzanine level shall be 9 feet.
- 2.) Mezzanines are allowed in all commercial spaces, provided that mezzanines do not cover more than 33% of the interior space below, and provided that where a commercial use is permitted to occupy a second floor, either a mezzanine level or an internally connected second floor shall be permitted, but not both.

3. Bonus Provision for Creation of New Rights-of-Way (See VII.D.1 for requirement to create new blocks and rights-of-way)

- a. Whenever a subdivision or dedication of private property for the creation of a new or expanded right-of-way is required in accordance with the Rail and Street Network Plan - Map 3, including the HBLR extension, a development project within the Area shall be

permitted a maximum allowable **floor area** equal to 120% of the development rights, rounded to the nearest whole number, permitted under Section VIII.B.1, Floor Area Ratio, for the applicable zone in which the property is located, based on the gross land area of their property prior to subdivision or dedication

b. Once the allowable floor area has been calculated using the above standards based on the gross land area prior to subdivision, any development project within the Area shall be permitted to exceed the maximum allowable **building height** for the applicable district by the exact number of stories and floor area, rounded to the nearest whole number, necessary to achieve the maximum allowable floor area build-out at a factor of 120% and/or to achieve the Open Space Bonus.

C. Mid Rise-A District

This district consists of portions of two non-contiguous blocks: a portion of Block 1774 that serves as a transition zone between the R-1 zone to the north and the Water Street Redevelopment Area TOD-B to the south, and a portion of Block 1297 that serves as a transition zone between the West side Avenue Redevelopment Area to the east, the R-1 zone to the south, and the Mid Rise-B zone to the west.

1. Permitted Principal Uses:

- a. 1, 2, or 3-family detached houses shall be considered conforming uses only on Block 21801/(fka)1774, Lots 14/10, 3/53, & 12/79 and Block 22101/1297, Lots 25/28, 26/29, 27/30 and 21/37, 33/38.A, 34/39.A, in accordance with the use existing at the time of adoption of this plan.
- b. Townhouses: may include flats, duplexes and/or triplexes (units on more than one floor).
- c. Mid-rise apartment buildings in accordance with the Ground Floor Frontage Regulating Plan – may include flats, duplexes, and/or loft style apartments.
- e. Ground floor retail and commercial uses - the following uses may be located on the ground floor of a mid-rise apartment building in accordance with the Frontage Regulating Plan: retail sales, retail services, category one and two restaurants, financial institutions and services, commercial health club/fitness center/gym, offices (includes general, professional, medical), and child day care centers.
- f. Civic uses
- g. Parks and public open space

2. Permitted Accessory Uses and structures:

- a. Home Occupation in any residential unit
- b. Health/fitness club or gym reserved for the sole use of building occupants, on any floor of a mid-rise apartment building
- c. Roof-top deck/recreation area as part of mid-rise apartment building development

- d. Meeting and/or community room on the second floor or above of a mid-rise apartment
 - e. Balconies – subject to design regulations of this plan
 - f. Swimming pools
 - g. Decks and patios
 - h. Structured parking; some rear yard surface parking may be permitted in accordance with the parking standards of this plan.
3. Bulk Standards:
- a. One, two or three family houses, where permitted under VIII.C.1.a. -
 - 1.) Minimum Lot Area/ Width/ Depth: 2,500 sq.ft/ 25 ft./ 100 ft.
 - 2.) Front and rear yards - combined depth shall not total less than 35 feet
 - 3.) Side yards shall be determined by window placement and compatibility with adjacent development.
 - 4.) Building Coverage: shall not exceed 60%
 - 5.) Lot Coverage: shall not exceed 80%; remaining 20% shall be suitably landscaped with vegetative cover and must include all front yard areas not required for walkways and driveways.
 - b. Townhouses –
 - 1.) A minimum of 4 townhouse lots in a row, on separate lots, are required.
 - 2.) Minimum Lot Area/ Width/ Depth: 2,500 sq.ft/ 25 ft./ 100 ft.
 - 3.) Front Yard Setback: Min. 0; Max. 5 ft.; any row of four houses must have the same setback.
 - 4.) Side Yard: Not permitted, must build lot line to lot line along the side.
 - 5.) Rear Yard: Front and rear yards - combined depth shall not total less than 35 feet.
 - 6.) Building and Lot Coverage: see standards above for one, two, three family houses
 - c. Mid-rise apartment buildings and civic uses –
 - 1.) Minimum lot Area/Width Depth: 6,000 sq.ft/ 60 ft/ 100 ft
 - 2.) Required front yard:

Residential and/or garage frontages shall match the front yard setback of the primary building façade of an adjacent mid-rise apartment building, or a minimum of 0 feet and a maximum of 10 feet shall apply, if there is no adjacent mid-rise apartment building; see also Urban Design Guidelines VII.A.11 for required variation in façade plane. Ground floor commercial use frontages shall be located along the front lot line.

- 3.) Required rear yard: Ground floor or single floor partially above grade parking garages may be built to the rear lot line; all floors above a single story garage level shall provide a minimum of 30 feet.
- 4.) Required side yard: Parking garage level(s) may be built to the side lot line, and residential floors shall provide a minimum five (5) feet on each side.
- 5.) Building Coverage: See VIII.B.1 Floor Area Ratio to calculate allowable building coverage.
- 6.) Lot Coverage: To be determined by yard requirements and may vary depending on ground floor use.

D. Mid Rise-B District

1. Permitted Principal Uses:

- a. Townhouses – See Mid Rise-A
- b. Mid Rise Apartment Buildings- See Mid Rise-A; may also include work/live units.
- c. Ground floor retail and commercial uses – the following uses may be located on the ground floor of a mid-rise apartment building in accordance with the Ground Floor Frontage Regulating Plan: retail sales, retail services, category one and two restaurants, bars, financial institutions and services, commercial health club/fitness center/gym, offices (includes general, professional, medical), theaters and child day care centers. Restaurants, and/or healthclubs/fitness centers/gyms may also occupy the second floor in this zone provided that the second floor use is connected internally to the same use on the ground floor and has windows fronting on the street in conformity with building design standards.
- d. General and/or professional office buildings, including medical offices
- e. Civic uses
- f. Public and private technical schools
- g. Commercial theaters for live or screen performances including movies, plays, and concerts.
- h. Any combination of the above in accordance with the Ground Floor Frontage Regulating Plan
- i. Parks and public open space on Block 21701, lots 1, 13, 14, 15 (fka Blocks 1296.5 and 1775.1)
- j. Inventory storage, automotive servicing centers, and used car sales offices on Block 1292, (new Block 22003, lots 3, 4, 5, 8, 9, 10, 11), and Block 1295, lots 66, 67, 68 (new Block 22002, lots 19, 28, 29) only, ancillary to auto showrooms and sales or leasing offices on Blocks 22001, lot 4/1291, lot 76 and 22002, lot 1/1295, lot 28.99 and 22001, lot 2/1292.1 in the High Rise District. Any expansion of such ancillary

facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.

2. Permitted Accessory Uses and Structures:

- a. Home Occupation in any residential unit
- b. Health/fitness club or gym reserved for the sole use of building occupants, on any floor of a mid-rise apartment building
- c. Roof-Top recreation space on the roof of a mid-rise apartment building
- d. Meeting and/or community room on the second floor or above of a mid-rise apartment
- e. Balconies – subject to design regulations of this plan
- f. Structured parking; some rear yard surface parking may be permitted in accordance with the parking standards of this plan

3. Bulk Standards:

- a. Townhouses – See Mid Rise-A
- c. Mid-rise residential & civic uses – See Mid Rise-A
- d. Mixed use buildings, office buildings, technical schools, commercial theaters
 - 1.) Minimum lot Area/Width Depth: 10,000 sq.ft/ 100 ft/ 100 ft
 - 2.) Yard and coverage standards: See Mid Rise A - Mid-rise residential & civic uses\
- e. Inventory storage lots, used car sales operations, and automotive servicing centers, existing at the time of adoption of this Plan, and ancillary to existing dealerships fronting on Route 440, may expand in accordance with yard and coverage standards for mixed use buildings without meeting minimum height standards, provided however that such expansion shall not include the encroachment of any building consisting of more than a single story into any proposed rights-of-way shown on Map 3: Rail and Street Network Plan, and also provided that Site Plan Approval shall be required in accordance with all applicable Urban Design standards for any such expansion. See also applicable Site Plan application requirements outlined under Sections D.1.j. of the Mid Rise-B District and E.1.i. of the High Rise District.

E. High-Rise District

1. Permitted Principal Uses:

- a. High-Rise apartment buildings in accordance with the Ground Floor Frontage Regulating Plan – may include flats, duplexes, work/live and/or loft style apartments – residential units permitted on all floors except the ground floor of Route 440 frontage

- b. Mid-rise apartment buildings in accordance with the minimum height requirement and Ground Floor Frontage Regulating Plan – may include flats, duplexes, and/or loft style apartments, including work/live units. Residential units are permitted on all floors except the ground floor of Route 440 frontage
 - c. Ground floor retail uses – same uses as permitted in the Mid Rise B District may be located on the ground floor of any high-rise or mid-rise apartment building where optional retail/commercial use is permitted, and are required along the Route 440 corridor, in accordance with the Ground Floor Frontage Regulating Plan. Additionally, along the Route 440 corridor, as well as along all optional retail/commercial frontages, theaters, restaurants and/or health club/fitness center uses may also occupy the second and third floors in this zone provided that the upper floor space is connected internally to the same use on the ground floor and has windows fronting on the street in conformity with building design standards.
 - d. General, professional and/or medical offices, except on the ground floor fronting on Route 440 (see Ground Floor Frontage Regulating plan for Route 440)
 - e. Civic uses, except on the ground floor fronting on Route 440 (see Ground Floor Frontage Regulating Plan for Route 440)
 - f. Public and private technical schools, except on the ground floor fronting on Route 440 (see frontage regulating plan for Route 440)
 - g. Commercial theaters for live or screen performances including movies, plays, and concerts
 - h. Automobile showrooms and sales or leasing offices, contained in a building, are permitted on Block 22001, lot 4/1291, lot 76 and Block 22002, lot 1/1295, lot 28.99
 - i. Inventory storage, automotive servicing centers, and used car sales offices existing at the time of adoption of the Plan on Block 22002/1295 and/or Block 22003/1292 ancillary to existing auto showrooms and sales or leasing offices on Block 22001/1291 or Block 22002, Lot 1/1295, Lot 28.99. Any expansion of such facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.
 - i. Any combination of the above in accordance with the frontage regulating plan
 - j. Parks and public open space
2. Permitted Accessory Uses and structures:
- a. Home Occupation in any residential unit – in accordance with regulations of the Land Development Ordinance, Chapter 345-60
 - b. Health/fitness Club reserved for the sole use of building occupants, on any floor of a mid-rise or high-rise apartment building

- c. Roof-Top recreation space on the roof of a mid-rise or high-rise apartment building
- d. Meeting and/or community room on the second floor or above of a mid-rise or high-rise apartment building
- e. Inventory storage, automotive servicing centers, and used car sales offices on Blocks 22001/1291 and 22002/1295 only, accessory to existing auto showrooms and sales or leasing offices on Blocks 22001/1291, 22002/1295, and 22003/1292 respectively, and provided that no such storage or servicing center shall front on or be accessed directly from Route 440, nor shall any building consisting of more than a single story be permitted to encroach onto any proposed right-of-way shown on Map 3: Rail and Street Network Plan. Any expansion of such accessory facilities shall require Site Plan approval by the Planning Board and shall include landscaping, screening, and decorative lighting and fencing improvements.
- f. Balconies – subject to design regulations of this plan
- g. Structured parking

3. Bulk Standards:

- a. Mid-rise apartment buildings & civic uses – See Mid Rise-A
- b. Mixed use buildings, office buildings, technical schools, commercial theaters – see Mid Rise-B
- c. Automobile showrooms and sales or leasing offices for new or used vehicles existing at the time of adoption of this Plan may expand in accordance with yard and coverage standards for mixed use buildings without meeting minimum height standards, provided however that such expansion shall not include the encroachment of any building consisting of more than a single story into any proposed rights-of-way shown on Map 3: Rail and Street Network Plan, and also provided that Site Plan Approval shall be required in accordance with all applicable Urban Design standards for any such expansion. See also Site Plan application requirements for expansion of inventory storage lots, used car sales operations, and automotive servicing centers under Permitted Principal and Accessory Uses in the High Rise District.

F. Parking Requirements:

- 1. No parking is permitted between the building and the street line except where the condition already exists for automobile showrooms and sales or leasing offices, for new or used vehicles existing at the time of adoption of this Plan.
- 2. Off-street parking for all new construction shall be subject to the following minimum and maximum requirements:

Use	Min. # spaces	Max. # spaces
1 & 2 family (on those lots where specifically permitted)	N/A	2 stacked spaces per lot
Townhouses	N/A	2 stacked spaces per lot

Mid-Rise Apt. Bldgs in MR-A district	.33 spaces /d.u.	.66 spaces /d.u.
Mid-Rise Apt. Bldgs in MR-B & HR districts	.5 spaces /d.u.	.9 spaces /d.u.
Retail, Restaurant, Office (all), Financial	N/A	1 space /1,000 sq.ft. of G.F.A.

- f. To the extent feasible, all off-street parking shall be provided within the building envelope of the development site. Where it can be demonstrated to the Planning Board that parking within the building envelope is not feasible, required parking may be provided at the rear of the development parcel/building, but not between the building and the street line, or within a structured parking garage located no more than 500 feet of the development parcel that is to be shared by other building sites.
- g. All parking shall be designed to minimize the number of curb cuts, driveway and garage entrance widths, and the visibility of the parking from the street.

IX. SIGNAGE AND CANOPY/AWNING REQUIREMENTS

- A. All signage shall be designed to be compatible with the architectural style and color scheme of the building to which it is attached. Permitted signage materials include: painted wood; painted metals including aluminum and steel; brushed finished aluminum, stainless steel, brass, or bronze; carved wood or wood substitute
- B. Residential Signage – No signage is permitted except as provided below.
1. Each residential building shall display the street address of the building on the front façade or front door of the building such that it is visible from the adjoining street sidewalk and carriage way.
 2. Each residential building may provide any signage required for proper mail delivery indicating the name(s) of the resident(s) of the building on the mailbox or doorbell.
 3. Mid-rise and Loft residential buildings - one sign not to exceed eight (8) square feet, attached flush to the building wall, identifying the name of the building, if any. The sign shall not be illuminated in any manner.
 4. High-rise residential buildings may also have one non-illuminated identification sign, attached flush to the building wall, compatible with the architectural style and color scheme of the building, not to exceed twelve (12) square feet.
 5. Mid-rise and high-rise residential buildings may have a canopy at the main entrance that shall have no signage other than the street address. Any signage identifying the name of the building shall be mounted to the building façade above the canopy.
- C. Commercial Signage – Internally lit wall, blade, window and/or directory signage, including neon, light box, channel lighting and the like, is not permitted.

1. Wall Signs - Each ground floor commercial use is permitted one sign, which shall be flush mounted to the front building façade and located within a sign band that is integrated into the overall architectural design of the building facade. The sign band shall not exceed 30 inches in height nor extend more than 80% of the width of the store front that it is intended to serve. The top of the sign band shall not be located more than 15 feet above the adjoining sidewalk elevation, and not above the first floor level of the building. The combined height of any lettering, design and/or logo placed within the sign band shall not be greater than 18 inches. Commercial uses on corner lots may have both a primary wall sign meeting the above standards (attached to the façade with the main commercial entrance) and one additional sign, not more than one-half the size of the primary sign, attached in a reasonable location along the first half of the secondary façade.
 2. Blade Signs - Each ground floor commercial use may also have one blade sign located on the first floor of the primary building facade. Blade signs shall not exceed a maximum of 2.5 feet in width by 2.0 feet in height. They shall be placed such that the lowest portion of the sign is not less than 8 feet above the sidewalk and the highest portion of the sign is not more than 12 feet above the sidewalk.
 3. Window Signs – Not more than 25% of the total glazed area of any store front or individual window may contain window signage. Permitted window signage shall consist only of gold leaf or other decorative style lettering. Pedestrians must have a clear view into the interior of any ground floor commercial space, such that no window shall be blocked by an interior window display, curtains or blinds covering more than the identical 25% portion of glazed area allowed for signage.
 4. Directory Signs – Buildings having multiple tenants may have a directory sign flush mounted to the building and located near the entrance to the building serving the tenants. The directory sign may be no larger than 2 feet wide by 3 feet tall.
 5. Awnings – Awnings are permitted for all ground floor commercial tenants and also at the second story of restaurants and/or health club/fitness centers where such second story use is specifically permitted.
 6. All awnings shall be of a canvas, canvas blend, or equivalent fabric material. Retractable awnings are permitted for sidewalk cafes in lieu of umbrellas, in accordance with the city's Sidewalk Café Ordinance. All other awnings shall be non-retractable and of a sloped design at an angle of 45 degrees or less and without side panels. The bottom edge or skirt portion of the awning shall extend not more than four feet from the building. The highest structural elements of the awning, i.e. those elements adjacent to the building, shall be no higher than 12 feet above the sidewalk level. No portion of any awning may cover any portion of any second story window, including the window sill or other decorative or structural elements of the window. Waterfall awnings and internal "under" lighting are prohibited.
- C. Construction Signage: During construction, one (1) sign for each project or development may be displayed indicating the name of the project, developer, design professionals, general contractor, sub- contractor, financing institution and/or public agency officials (as

applicable and appropriate). The sign area shall not exceed three hundred (300) square feet. Said sign shall be removed upon completion of the project or development.

X. ACQUISITION PLAN

The Route 440-Culver Redevelopment Area is comprised of a mix of uses including vacant land, underutilized properties and incompatible industrial land uses as well as some stable residential and commercial uses. It is important that the Area be redeveloped in a comprehensive manner that accommodates and preserves the conforming and desirable land uses. At the same time it is important that incompatible land uses, vacant land, underutilized property, dilapidated buildings, unsafe conditions and other impediments to proper development be removed in an orderly, planned and phased manner.

As such, those properties within the Redevelopment Area listed below, also delineated on Map #6, the Acquisition Plan, are Proposed To Be Acquired. In the event of any discrepancy between the map and the block and lot numbers listed below, the map shall be controlling.

Property Proposed To Be Acquired:

New Block/ Former Block	Lot(s)	Address	Description
22103/1287.A	12/12	20 Carbon Place	Industrial (Recycling)
22103/1287.A	20/7	40 Carbon Place	Industrial (Movie/music studio)
22003/1287.A	16/2.C	50 Carbon Place	Industrial (Distribution)
22103/1293	1/55	49 Fisk Street	Industrial (disposable gloves manuf.)
22002/1295	27/1.99	70 Fisk Street	Industrial/Comm. (Better Plastics-manuf. & sales)
22002/1295	28/66	76 Fisk Street	Industrial garage
21701/1296	18/18 & 19/F9.99	212-222, & 230 Culver Avenue	Industrial (Acrilex)
21701/1296	17/19	244 Culver Ave.	Industrial (Alpha/Cookson) – Vacant
21701/1296	23/17	260 Culver Ave.	Comm./automotive (carwash)
21701/1296.5	15/10	74 Pollack Ave.	Comm./automotive (carwash)
22101/1297	11/M.1	35 Pollack Ave.	Vacant land (used for parking)
22101/1297	5/52, 3/43 4/44.99	43, 63, 67 Pollack Avenue	Industrial (CBA Industries warehouse + truck parking)
22101/1297	2/42	69 Pollack Ave.	Industrial (1 story masonry garage)
22101/1297	1/72	71 Pollack Ave.	Comm./automotive (Epic auto Care – oil & lube)
22101/1297	29-31/34-36	194-198 Culver Ave.	Vacant land (used for construction vehicle storage)
21801/1774	8/PL.A, 15/11,	17-19 & 53-63	Industrial (Daniel Products aka Elementis)

	16/29, 17-19/33-35, 4/54, 5/57, 9-10/ 76-77	Yale Ave., 382, 400, & 418-430 Claremont Avenue	– manuf. chemical additives for surfactants)
21801/1774	2/85	70 Mallory Avenue	Industrial (Vacant warehouse owned by Acrilex)
21701/1775.1	24/11.P, 13/96, 25/78, 14/83	58 Water Street & 39 Mallory Avenue	Industrial (Alpha/Fry's Metals/Cookson Electronics – vacant buildings/vacant land/vacated rail r-o-w)
21701/1775.1	1/A.1	80 Water Street	Industrial (vacant building/unimproved vacant land)

At this time, it is anticipated that any property “proposed to be acquired” within the Redevelopment Area will be purchased and assembled by private development interests. Priority shall be given to the redevelopment by existing property owners of their own property, or in the alternative, for existing property owners to contract with private development interests for the acquisition and redevelopment of the property they own. Owners of property “proposed to be acquired” within the Area pursuant to the above list shall have up to five years from the date of adoption of this Plan to develop their property or to seek alternative private development of their property in the foregoing manner. Redevelopment shall be evidenced by submittal of a completed Application for Development timely to the Jersey City Planning Board, approval of same within the afore-mentioned 5 year period, and commencement of construction within one year of the end of the afore-mentioned five year period. During that five year period (and for a sixth year should construction permits be issued), eminent domain by the city or its authorized agencies shall not be utilized. However, should redevelopment of these above-listed properties in the foregoing manner prove to be unsuccessful after five years from the time of adoption of this Plan, evidenced by the failure to obtain Planning Board approval within the five year period and proceed with construction within the allotted timeframe described above, then, and only then, municipal acquisition by eminent domain may be pursued in order to create properly planned and developable parcels of land. In the event that property is acquired by eminent domain and transferred to a redeveloper, the redeveloper shall reimburse the City of Jersey City for the costs associated with the acquisition pursuant to a Developer’s Agreement between the designated developer and the Jersey City Redevelopment Agency.

XI. RELOCATION PLAN

Should relocation become necessary, the process of relocating the affected persons and businesses will receive the careful attention of local officials and the Jersey City Redevelopment Agency. All persons and businesses to be relocated will be interviewed to determine their occupancy and/or relocation needs. Assistance will be provided in locating suitable relocation opportunities and will be conducted in accordance with the requirements of all applicable Federal, State and Local laws,

XII. PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

In accordance with NJSA 40A:12A-1 et seq., Chapter 79, Laws of New Jersey 1992, known as “The Local Redevelopment and Housing Law”, the following statements are made:

- A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements.
- B. The Plan has laid out various strategies needed to be implemented in order to carry out the objectives of this Plan.
- C. The Plan contains proposed land uses and building requirements for the Redevelopment Area.
- D. The Acquisition Map and Acquisition Plan contained herein indicate all property to be acquired as a result of this Plan.
- E. The Plan is in general compliance with the Jersey City Master Plan and the Master Plan of the County of Hudson. It is not contrary to the goals and objectives of the Jersey City Master Plan. The Plan complies with the goals and objectives of the New Jersey Development and Redevelopment Plan in that this Plan and the State's plan both recognize the need to redevelop urban land.

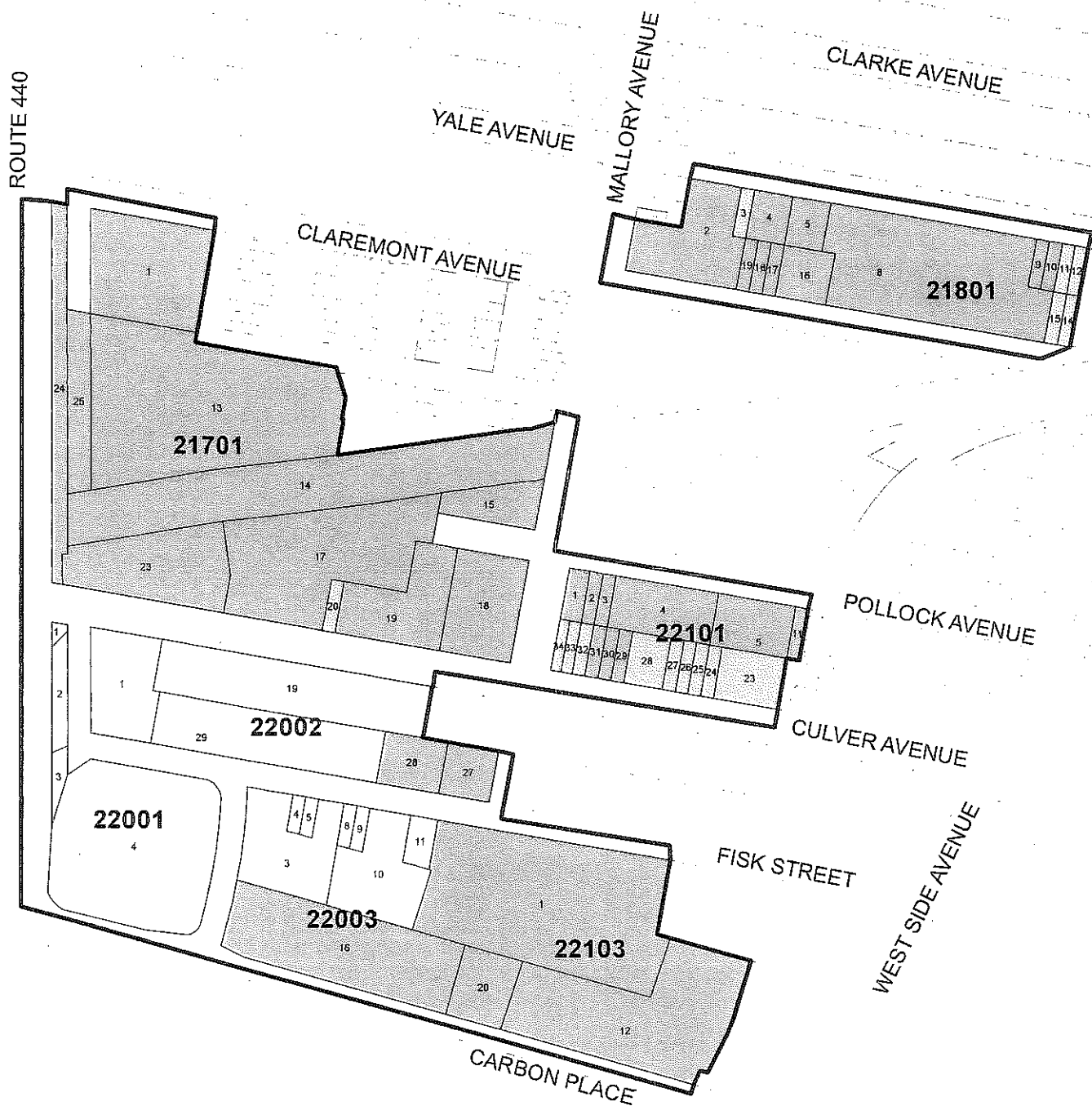
The Plan is also consistent with New Jersey's Office of "Smart Growth" planning principles. "Smart Growth" means: planning, designing, and building livable communities in ways that make more efficient use of land and infrastructure improvements and in ways that protect the environment and valuable natural resources. The twin aspects of "Smart Growth" are revitalizing cities and towns to encourage redevelopment and infill development, while also discouraging sprawl in suburban and rural areas through more compact development.

- F. For all properties designated as An Area in Need of Redevelopment (see Map 6 Acquisition Plan) this Redevelopment Plan shall supersede all provisions of the Jersey City Land Development Ordinance except those specifically listed in Section V.A. of this Plan covering Definitions; Procedural Requirements; Fees; Setback requirements for Route 440 development; Stormwater control; Performance and Maintenance Guarantees; and Enforcement. For those properties designated on Map 6 as an Area in Need of Rehabilitation, the provisions of this Plan shall be applied as an overlay to the HC Highway Commercial District of the Land Development Ordinance provided, however, that Truck Sales and Car Washes shall not be considered permitted principal uses, and Outdoor Garden Centers shall not be considered permitted accessory uses, within the overlay district, **and** provided that no building expansion shall encroach, or further encroach, onto any proposed public right-of-way shown on Map 3: Rail and Street Network Plan. For property within the overlay district, an application for development may be made under either the Redevelopment Plan use, height, bulk, and parking standards, or the HC Highway Commercial District standards (subject to the foregoing use and design exceptions), but not both. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment except for those applications for development within the overlay district utilizing the Highway Commercial standards of the Land Development Ordinance as outlined above. Except for the foregoing exemption in the overlay district, the Planning Board alone shall have the authority to grant deviations from the requirements of this plan, as provided herein. Upon final adoption of this Plan by the Municipal Council of Jersey City, the Jersey City Zoning Map shall be amended to rezone the Study Area covered by this Plan as the Route 440 - Culver Redevelopment Area, and all underlying zoning will be voided except within the designated overlay district.

XIII. PROCEDURE FOR AMENDING THE PLAN




- A. This Plan may be amended from time to time upon compliance with the requirements of law. For any request by a private entity to amend this Plan, a fee of \$2,500, plus all costs for copying and transcripts shall be payable to the City of Jersey City. If there is a designated developer, as provided for under NJSA 40A: 12A-1 et. seq., said developer shall pay these costs. The City of Jersey City reserves the right to amend this plan.
- B. No amendment to this Plan shall be approved without the review and recommendation of the Planning Board, and a public hearing and adoption by Municipal Council. A copy of any proposed change to the Plan shall be filed with the Office of the City Clerk.

MAPS



Route 440-Culver Redevelopment Plan: Map 6 - Acquisition Plan

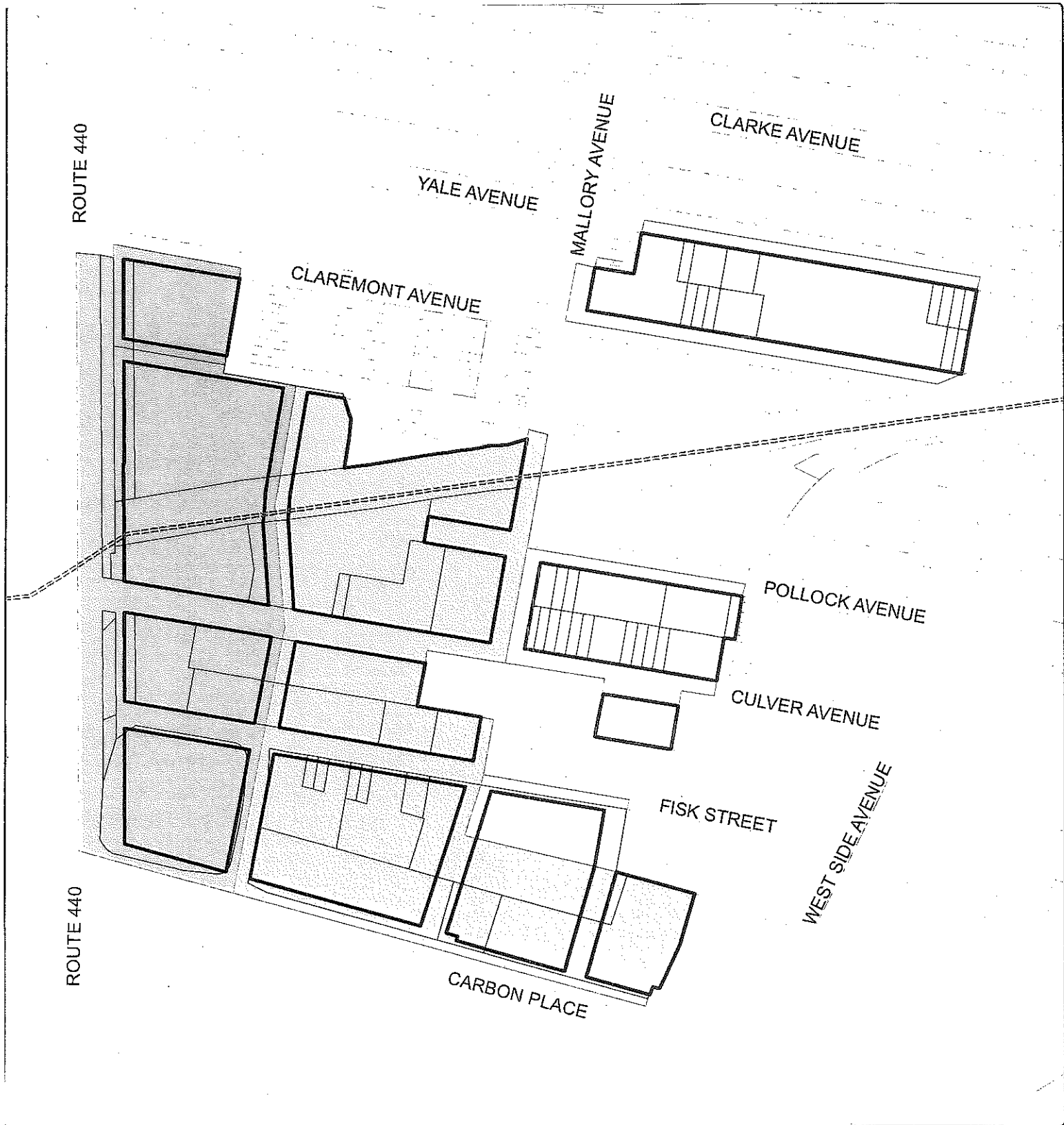
Legend

-  QUALIFYING FOR REDEVELOPMENT - SUBJECT TO ACQUISITION
-  QUALIFYING FOR REDEVELOPMENT - NOT SUBJECT TO ACQUISITION
-  QUALIFYING FOR REHABILITATION - NOT SUBJECT TO ACQUISITION



1 inch = 300 feet

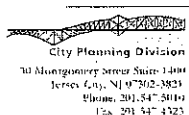




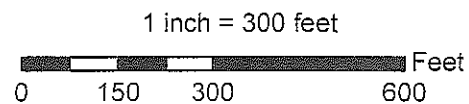
Route 440-Culver Redevelopment Plan: Map 5 - Zone Map

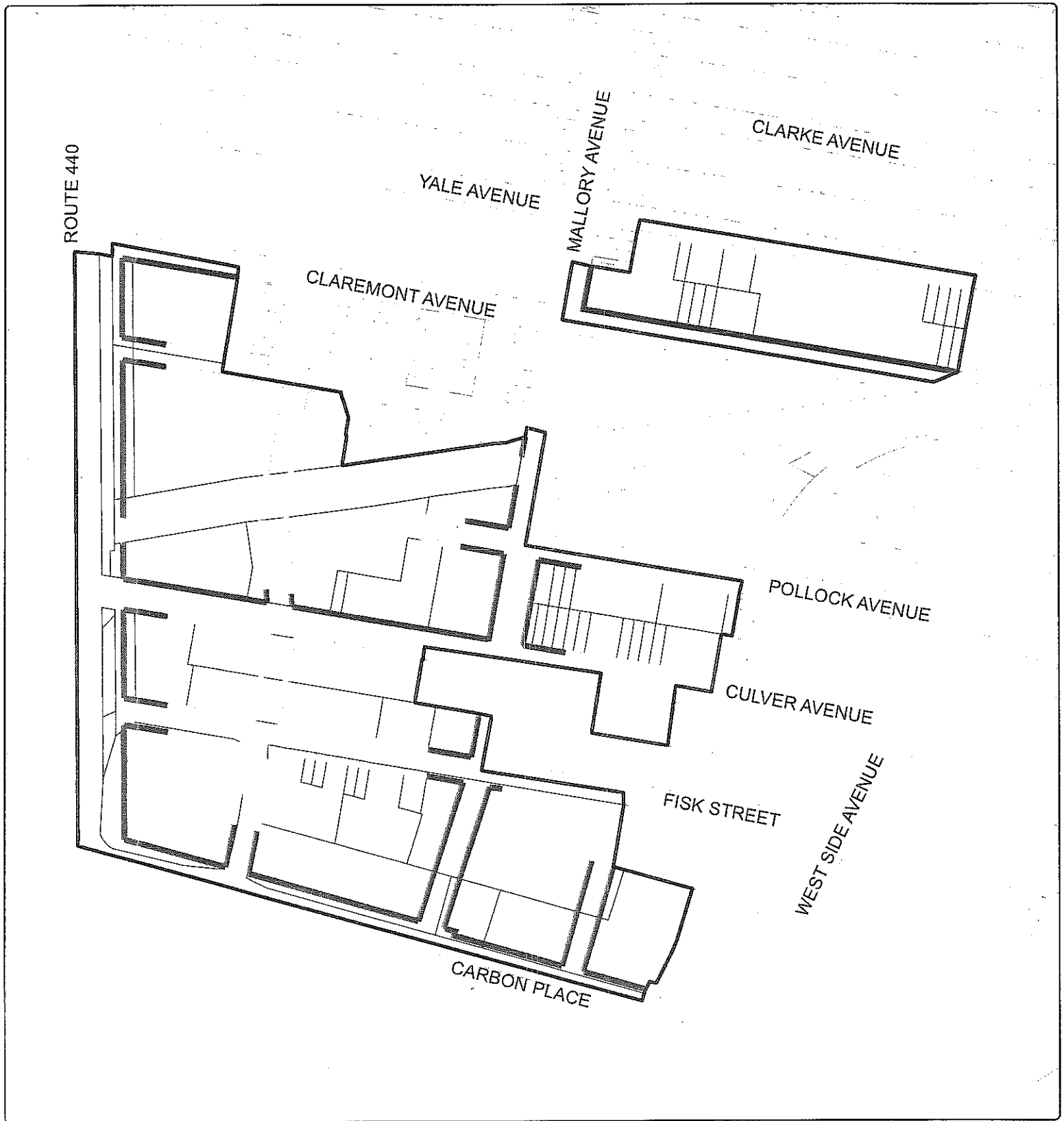
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- Proposed Light Rail Extension
- New Block Limits
- Mid-Rise A
- Mid-Rise B
- High-Rise








May 19, 2017





Route 440-Culver Redevelopment Plan: Map 4 - Ground Floor Frontage Regulating Plan

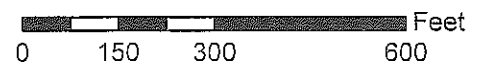
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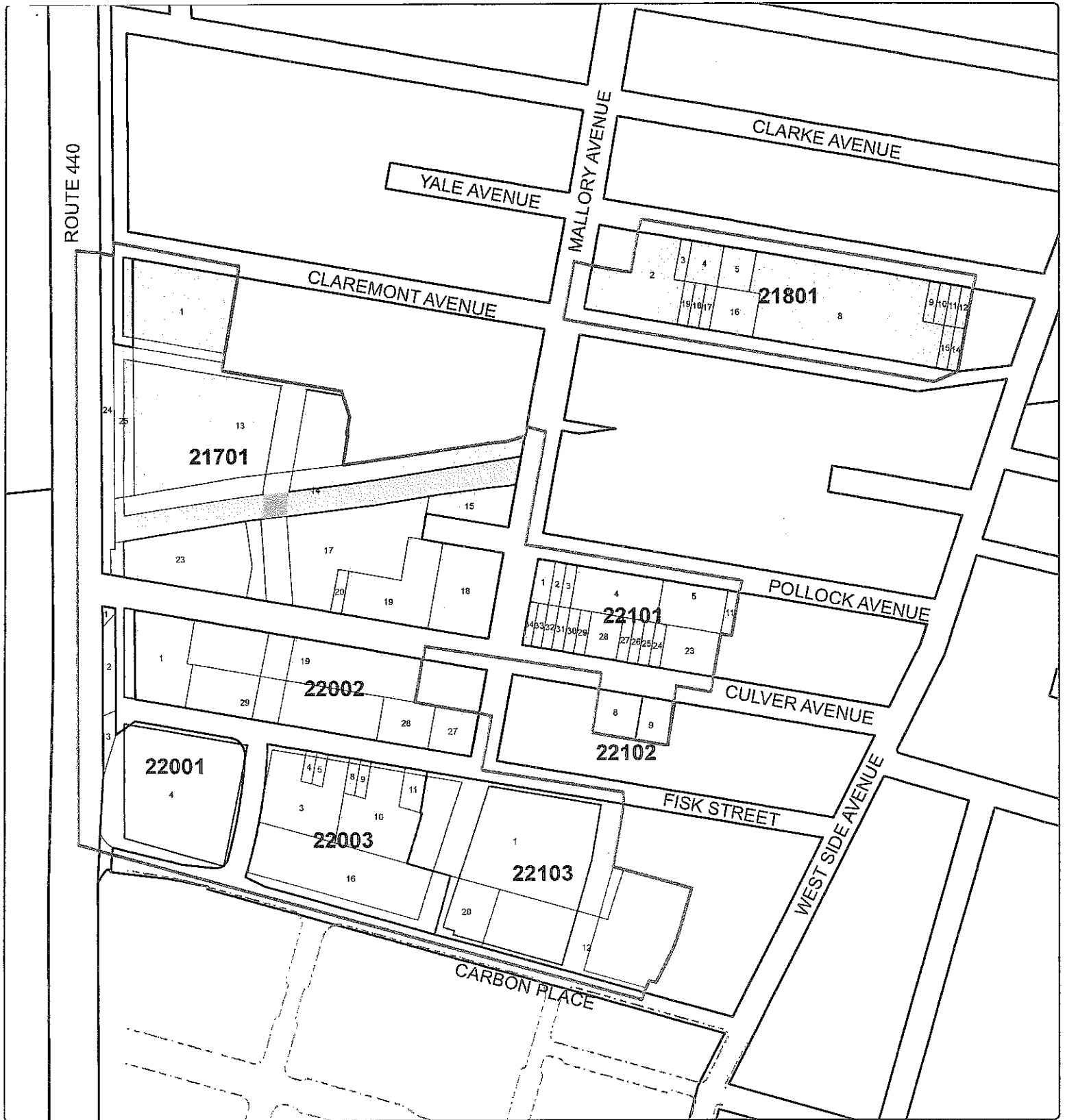
-  REDEVELOPMENT PLAN BOUNDARY
-  RETAIL REQUIRED
-  RETAIL/COMMERCIAL OPTIONAL
-  RESIDENTIAL USE ONLY
-  HBLR ROW EXTENSION

City Planning Division
 10 Montgomery Street, Suite 1400
 Jersey City, NJ 07302-3021
 Phone: 201.547.5000
 Fax: 201.547.4325



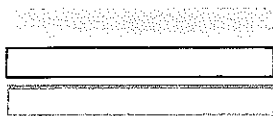
1 inch = 300 feet





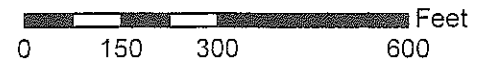
Route 440-Culver Redevelopment Plan: Map 3 - Rail and Street Network Plan

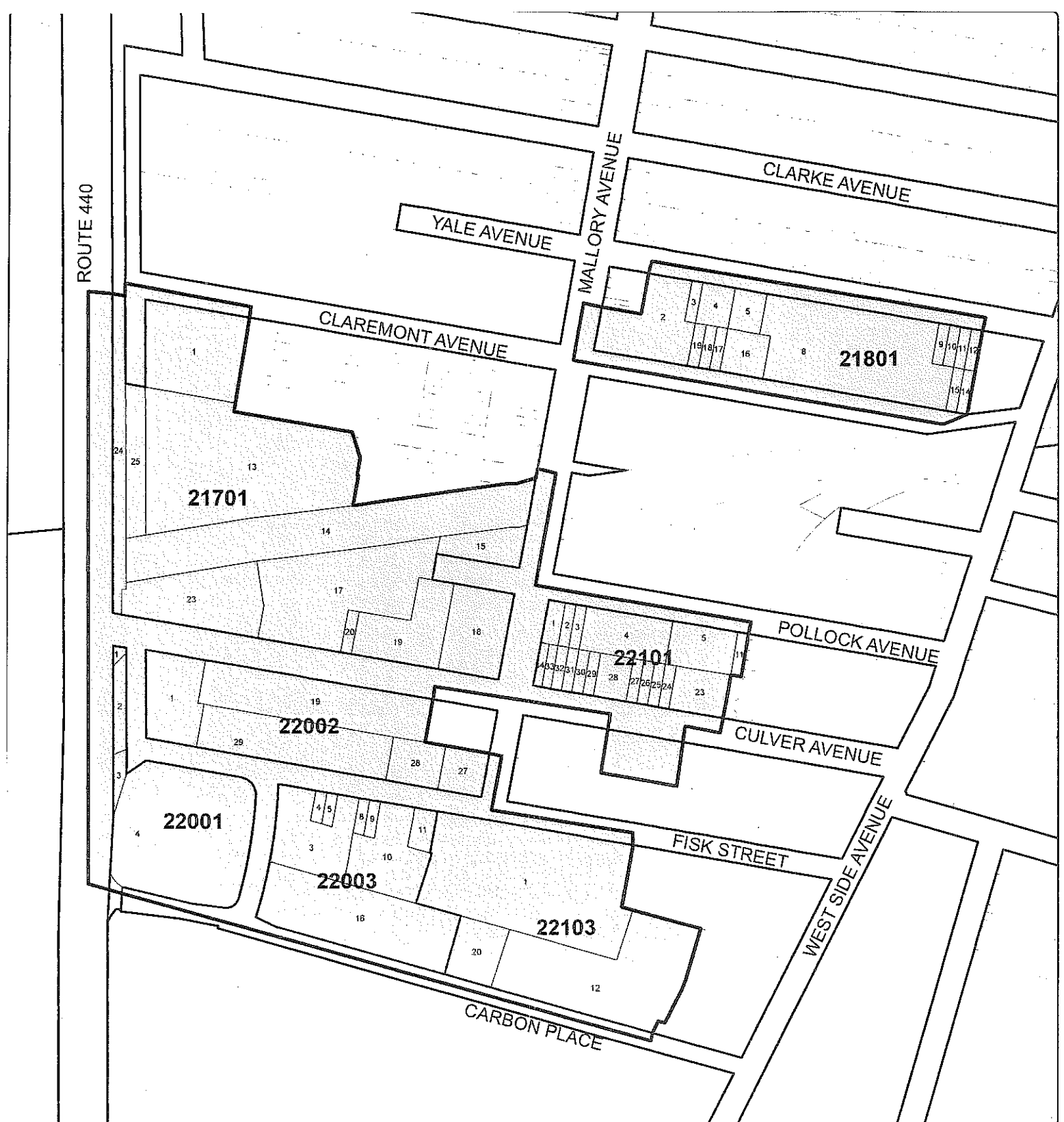
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- NEW OR REALIGNED RIGHTS-OF-WAY
- PROPOSED LIGHT RAIL RIGHT-OF-WAY EXTENSION
- LIGHT RAIL OVERPASS
- DEVELOPMENT BLOCKS
- REDEVELOPMENT PLAN BOUNDARY

1 inch = 300 feet





Route 440-Culver Redevelopment Plan: Map 2 - Boundary Map



City Planning Division
 30 Montgomery Street, Suite 1400
 Jersey City, NJ 07302-3821
 Phone: 201.547.5010
 Fax: 201.547.5321

1 inch = 300 feet






May 19, 2017



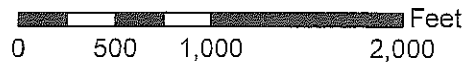
Route 440-Culver Redevelopment Plan: Map 1 - Area Map



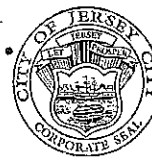
Legend

-  Proposed Light Rail Extension
-  Existing Light Rail
-  Redevelopment Plan Boundary

1 inch = 1,000 feet



Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-081
TITLE: 3.J JUN 14 2017 4.1 JUN 28 2017

Ordinance of the Municipal Council of the City of Jersey
City adopting the Route 440-Culver Extension Study Area
into the Route 440-Culver Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>ROBINSON</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017

Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on JUN 28 2017

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date JUN 28 2017

APPROVED:

Steven M. Fulop, Mayor

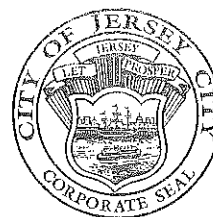
Date JUN 30 2017

Date to Mayor JUN 29 2017

City Clerk File No. Ord. 17-084

Agenda No. 3.M 1st Reading

Agenda No. 4.L 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-084

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE FOUR (4) NEW CLASSIFIED POSITIONS FOR DIRECTOR OF COMMUNITY RELATIONS & SOCIAL SERVICES, SENIOR ENGINEER CIVIL, CHILDREN SUPERVISOR AND HEALTH INSURANCE BENEFITS CLERK**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*
*
*
*

Director of Community Relations & Social Services

Senior Engineer Civil

Children Supervisor

Health Insurance Benefits Clerk

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

**Pursuant to N.J.S.A. 40:69A-43a.*

NR/he

6/07/17

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP
MAYOR OF JERSEY CITY

E.O. _____

_____, 2017

EXECUTIVE ORDER OF THE MAYOR
OF THE
CITY OF JERSEY CITY

CLASSIFIED POSITIONS FOR CITY EMPLOYEES

Pursuant to the Faulkner Act, N.J.S.A. 40:69A-48, as amended by L.1985, c.374, the Mayor is now authorized to set the salaries, wages or other compensation of all employees of administrative departments except department directors and employees whose salaries are required to be set by ordinance.

Pursuant to this authorization, I issue the following Executive Order establishing guidelines for salaries and wages of those employees whose salaries are set by the Mayor:

Labor Grade

Title

43

Director of Community Relations & Social Services

45

Senior Engineer Civil

5

Children Supervisor

7

Health Insurance Benefits Clerk

This order shall take effect immediately.

Very truly yours,

STEVEN M. FULOP, MAYOR

SMF/he

cc: Robert J. Kakoleski, Business Administrator
Jeremy Farrell, Corporation Counsel
Robert Byrne, City Clerk
Donna Mauer, Chief Financial Officer
Nancy Ramos, Personnel Director

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR (DIRECTOR OF COMMUNITY RELATIONS & SOCIAL SERVICES).

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a new title for (Maryanne Kelleher) in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

5/12/17

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Director of Community Relations & Social Services

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a new title in accordance with New Jersey dept. of Civil Services Commission and Regulations

Reasons for the Proposed Program, Project, Etc.:

Maryanne Kelleher

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence:

Anticipated Completion Date:

Person Responsible for Coordinating Proposed Program, Project Etc.:

Additional Comments:

Union Affiliation - Management Labor Grade: 43

I Certify That All Facts Present Herein Are Accurate.

5/12/17

Date

Nancy Ramos
Department Director

Date Submitted to Law Department

New Title

Title: Director of Community Relations & Social Services

Department: Department of Health and Human Services

Division: Director's Office

Labor Grade: 43

Min. \$32,500

Max. \$84,275

Union: Management

**Maryanne Kelleher
67 Tuers Ave.
Jersey City, NJ 07306**

Salary: \$95,902

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR (SENIOR
ENGINEER CIVIL)**

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a new title for (Paul Russo) in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.



Signature of Department Director

5/12/17

Date

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Senior Engineer Civil

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a new title in accordance with New Jersey dept. of Civil Services Commission and Regulations

Reasons for the Proposed Program, Project, Etc.:

Paul Russo

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

Person Responsible for Coordinating Proposed Program, Project Etc.: _____

Additional Comments:

Union Affiliation - Management Labor Grade: 45

I Certify That All Facts Present Herein Are Accurate.

5/12/12
Date

Nancy Ramos
Department Director

Date Submitted to Law Department _____

New Title

Title: Senior Engineer Civil

Department: Administration

Division: Engineering

Labor Grade: 45

Min. \$ 34,500

Max. \$ 88,075

Union: MGT

Paul Russo

511 Manila Ave.

Jersey City, NJ 07302

Salary: \$85,000

RESOLUTION FACT SHEET – NON-CONTRACTUAL

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Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR (CHILDREN
SUPERVISOR)**

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a new title for (Wilber Amaya and Melissa Troncoso) in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.


Signature of Department Director

5/16/17
Date

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Children Supervisor

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a new title in accordance with New Jersey dept. of Civil Services Commission and Regulations

Reasons for the Proposed Program, Project, Etc.:

Wilber Amaya and Melissa Troncoso

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

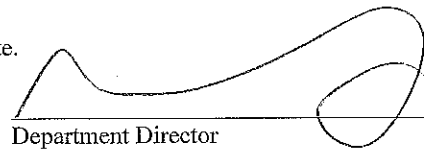
Person Responsible for Coordinating Proposed Program, Project Etc.: _____

Additional Comments:

Union Affiliation -JCSA Labor Grade: 5

I Certify That All Facts Present Herein Are Accurate.

5/16/19
Date


Department Director

Date Submitted to Law Department 5/16/19

New Title

Title: Children Supervisor

Department: Recreation

Division: Recreation

Labor Grade: 5

Min. \$9,150

Max. \$39,651

Union: JCSA

Wilber Amaya (Full-time)

24 Trenton St. 1st Fl

Jersey City, NJ 07306

Salary: \$35,000

Melissa Troncoso (Part-time)

107 Prospect St. Apt. 2R

Jersey City, NJ 07307

Salary: \$15 hr.

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR (HEALTH
INSURANCE BENEFITS CLERK)**

Initiator

Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

To establish a New Title for Khari Parks in accordance with New Jersey Department of Civil Services Commission Rules and Regulations.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

New Title

Title: Health Insurance Benefits Clerk

Department: Human Resources

Division: Health Benefits

Labor Grade: 7

Min. \$9,500

Max. \$40,803

Union: 246

Khari Parks

330 Arlington Avenue

Jersey City, New Jersey 07304

SALARY: \$31,888

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Health Insurance Benefits Clerk

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

Reasons for the Proposed Program, Project, Etc.:

Khari Parks

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

Date Proposed Program or Project will Commence: _____

Anticipated Completion Date: _____

Person Responsible for Coordinating Proposed Program, Project Etc.: _____

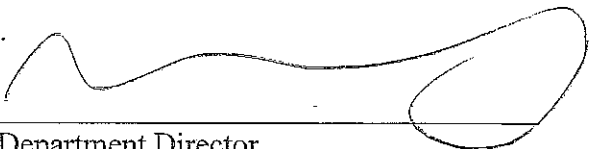
Additional Comments:

Union Affiliation - 246 **Labor Grade: #7**

I Certify That All Facts Present Herein Are Accurate.

6/2/17

Date



Department Director

Date Submitted to Law Department _____

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-084
TITLE: 3.M JUN 14 2017 4.L

JUN 28 2017

Ordinance supplementing Chapter A351 (Executive Orders and Ordinances)
of the Jersey City Code to create four (4) new classified positions for
Director of Community Relations & Social Services, Senior Engineer Civil,
Children Supervisor and Health Insurance Benefits Clerk.

RECORD OF COUNCIL VOTE ON INTRODUCTION JUN 14 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING JUN 28 2017 5-0											
Councilperson <u>WATTERMAN</u> moved, seconded by Councilperson <u>ROBINSON</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MIKE KULOWSKI

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE JUN 28 2017 5-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JUN 14 2017
Adopted on second and final reading after hearing on JUN 28 2017

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on JUN 28 2017.

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President
Date JUN 28 2017

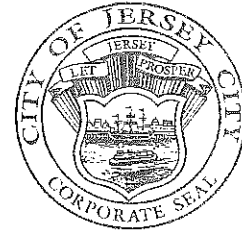
APPROVED:

Steven M. Fulop, Mayor
Date JUN 30 2017
Date to Mayor JUN 29 2017

City Clerk File No. Ord. 17-085

Agenda No. 3.N 1st Reading

Agenda No. 4.M. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-085

TITLE: ORDINANCE AMENDING CITY ORDINANCE 14.062 GRANTING PERMISSION TO 148 FIRST STREET URBAN RENEWAL, LLC, ITS SUCCESSORS AND/OR ASSIGNS, AND 160 FIRST STREET URBAN RENEWAL, LLC, ITS SUCCESSORS AND/OR ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF FIRST STREET ADJACENT TO THE PROPERTY LOCATED AT 148-154 FIRST STREET AND 162-170 FIRST STREET, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 11502, LOTS 5.03, 9, 10 AND 11

WHEREAS, the City of Jersey City ("City") is the owner of the right-of-ways located adjacent to private property at 148-154 First Street and 162-170 First Street (the "Private Properties"); and

WHEREAS, 148 First Street Urban Renewal, LLC and 160 First Street Urban Renewal, LLC, having offices located at 155 Second Street, are the owners of the Private Properties (the "Franchisee"); and

WHEREAS, Ordinance 14.062, adopted on June 11, 2014, granted Franchisee permission to locate electric-vehicle charging stations in the First Street right-of-way adjacent to the Private Properties (the "Franchise Areas"); and

WHEREAS, Franchisee has constructed private improvements to accommodate the electric charging stations and certain utility connections within the Franchise Areas; and

WHEREAS, Franchisee has also installed up to 12 electric and plug-in hybrid vehicle charging stations within the Franchise Areas; and

WHEREAS, Ordinance 14.062 left certain details to be determined regarding parking regulations within the Franchise Areas; and

WHEREAS, the Franchise Areas require such clarification and further regulation in order to ensure public safety and promote the public interest; and

WHEREAS, Ordinance 14.062 included provisions for on-street parking spaces within the Franchise Areas for up to 21 on-street parking spaces which would provide for exclusive parking or electric or plug-in hybrid vehicles; and

WHEREAS, Ordinance 14.062 stated in Section VI, "In the event the Petitioners withdraw from or abandon the providing of electric vehicles or plug-in hybrid vehicles, then this ordinance shall be deemed terminated and the spaces provided for in the Franchise Area(s) shall revert to general public use for all parking," and the Petitioners have as of [x date] withdrawn from or abandoned the providing of electric vehicles or plug-in hybrid vehicles;

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Section III of Ordinance 14.062 is hereby amended as follows:

This Ordinance shall remain in full force and effect for a period of twenty years (20) ~~[ninety nine (99)]~~ years, or the useful life of the charging stations, whichever is less. "Useful life" is defined as the number of years the charging station is likely to remain in service for the purpose of cost-effective revenue generation. This Ordinance shall take effect upon final passage and publication according to law. In the event that the Municipal Council determines that this Ordinance must be canceled in whole or in part because of a public purpose, the City reserves the right to cancel this Ordinance or any part thereof by giving written notice to the Petitioners one year prior to the date of cancellation.

2. Section IV of Ordinance 14.062 is hereby amended as follows:

The parking spaces within the Franchise Areas shall be available to the general public for the parking and charging of electric or plug-in hybrid vehicles, as well as to the electric or plug-in hybrid vehicles provided by the Petitioners, and other vehicles in accordance with Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and the parking spaces and charging use shall be subject to regulations to be established by the City of Jersey City.

3. Section VI of Ordinance 14.062 is hereby amended as follows:

This City reserves the right to designate as many as 12 parking street spaces for the general public until such time that the City and Petitioner agree that additional spaces are needed to accommodate the demand for electric vehicle charging stations. If additional spaces are needed to be designated for electric vehicle charging stations, the Petitioner shall make a written proposal to the City demonstrating the increased demand for electric vehicle charging stations, and the City shall respond within 90 days of receipt of the proposal.

In the event the Petitioners withdraw from or abandon the providing of electric vehicle charging stations ~~vehicles or plug-in vehicles~~, then this ordinance shall be deemed terminated and the parking spaces provided for in the Franchise Area(s) shall revert to general public use for all parking.

4. Section XII of Ordinance 14.062 is hereby amended as follows:

For the rights and privileges herein granted, said beneficiaries hereunder, their successors and assigns, shall pay annually to the City of Jersey City the sum of the lost revenue for each residential and/or commercial permit parking space One Dollar (\$1.00), which payment shall be made annually on the 1st day of July next succeeding the time when this Ordinance shall become effective and on each first day of July thereafter until the termination of this Ordinance.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New matter is underlined; deleted matter in [brackets]. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation CounselAPPROVED: _____
Business AdministratorCertification Required ☐Not Required ☐

FACT SHEET

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AMENDING CITY ORDINANCE 14.062 GRANTING PERMISSION TO 148 FIRST STREET URBAN RENEWAL, LLC, ITS SUCCESSORS AND/OR ASSIGNS, AND 160 FIRST STREET URBAN RENEWAL, LLC, ITS SUCCESSORS AND/OR ASSIGNS, TO MAKE PRIVATE IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY OF FIRST STREET ADJACENT TO THE PROPERTY LOCATED AT 148-154 FIRST STREET AND 162-170 FIRST STREET, JERSEY CITY, NEW JERSEY, ALSO KNOWN ON THE TAX MAPS OF THE CITY OF JERSEY CITY AS BLOCK 11502, LOTS 5.03, 9, 10 AND 11

Initiator

Department/Division	City Council	
Name/Title	Councilwoman Osborne/Brian Platt	
Phone/email	(201) 547-5315	COsborne@jcnj.org/bplatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)


Ordinance Purpose

To amend the franchise ordinance to reduce the term from 99 years to a term of 20 years or less, and to revert up to 12 parking spaces back for the general public.

Additional amendments have been added after discussion with the council during the caucus meeting on Monday June 12 and through guidance from the Law Department to:

- 1) Include a mechanism for issuing fees for use of city property. The city council and the administration must separately determine the nature of specific fee structures, rates, and operations/activities that are subject to fees.
- 2) Include language to create a process for the property owners to request additional spaces to be reserved for electric car charging stations.

I certify that all the facts presented herein are accurate.



Signature of Department Director



Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 17-085
TITLE: 3.N JUN 14 2017 4.M **JUN 28 2017**

Ordinance amending City Ordinance 14.062 granting permission to 148 First Urban Renewal, LLC, its successors and/or assigns, and 160 First Street Urban Renewal, LLC, its successors and/or assigns, to make private improvements in the public right-of-way of First Street adjacent to the property located at 148-154 First Street and 162-170 First Street, Jersey City, New Jersey, also know on the tax map of the City of Jersey City as Block 11502, Lots 5.03, 9, 10 and 11.

RECORD OF COUNCIL VOTE ON INTRODUCTION

JUN 14 2017 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

JUN 28 2017 9-0

Councilperson RIVERA moved, seconded by Councilperson WATTERMANN to close P.H.

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

CHARLES HARRINGTON

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson	AYE	NAY	N.V.	moved to amend* Ordinance, seconded by Councilperson	AYE	NAY	N.V.	& adopted	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
GADSDEN				OSBORNE				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE

JUN 28 2017 5-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
GADSDEN	ABSENT			OSBORNE	ABSENT			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	ABSENT		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **JUN 14 2017**
Adopted on second and final reading after hearing on **JUN 28 2017**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **JUN 28 2017**

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date **JUN 28 2017**

APPROVED:

Steven M. Fulop, Mayor

Date **JUN 30 2017**

Date to Mayor **JUN 29 2017**